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Agencies in this issue—

Detailed list of Contents appears inside.

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Contents

(Continued on next page)

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

5 CFR

213 ---------- 6901

7 CFR

905 ---------- 6930
908 ---------- 6930
1483 ---------- 6931

9 CFR

203 ---------- 6901

14 CFR

1 ---------- 6905
23 ---------- 6912
25 ---------- 6912
27 ---------- 6914
29 ---------- 6914
39 ---------- 6914
61 ---------- 6905
91 ---------- 6906
97 ---------- 6915
135 ---------- 6908
151 ---------- 6925
153 ---------- 6925

PROPOSED RULES:

1 ---------- 6938
91 ---------- 6938
97 ---------- 6938
121 ---------- 6938
135 ---------- 6938
243 ---------- 6941

16 CFR

13 (6 documents) ---------- 6926–6928
15 (2 documents) ---------- 6929

21 CFR

PROPOSED RULES:

20 ---------- 6938

28 CFR

0 ---------- 6930

29 CFR

PROPOSED RULES:

1604 ---------- 6941

32 CFR

577 ---------- 6931
1810 ---------- 6932

36 CFR

7 ---------- 6932
311 ---------- 6933

47 CFR

2 ---------- 6933
15 ---------- 6933
81 ---------- 6933
85 ---------- 6933
91 ---------- 6937

PROPOSED RULES:

97 ---------- 6942

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3312 is amended to show that the position of Deputy Director of the National Park Service is excepted under Schedule C in lieu of the position of Associate Director of the National Park Service. Effective on publication in the FEDERAL REGISTER, subparagraph (4) of paragraph (h) of § 213.3312 is amended as set out below.

§ 213.3312 **Department of the Interior.**

* * * * * *

(h) *National Park Service.* * * *

(4) One Deputy Director.

* * * * * *

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] DAVID F. WILLIAMS,
Director, Bureau of Management Services.

[F.R. Doc. 67–5010; Filed, May 4, 1967; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Consumer and Marketing Service (Packers and Stockyards Division), Department of Agriculture

PART 203—STATEMENTS OF GENERAL POLICY UNDER THE PACKERS AND STOCKYARDS ACT

Statement With Respect to Insolvency; Definition of Current Assets and Current Liabilities

On February 7, 1967, a notice was published in the FEDERAL REGISTER (32 F.R. 2575) regarding the proposed issuance of an interpretative statement with respect to insolvency and the definition of current assets and current liabilities. Interested persons were given an opportunity to submit written data, views, or arguments concerning the proposed statement. After consideration of all relevant matters, the following statement with respect to insolvency and the definition of current assets and current liabilities has been formulated and adopted by the Consumer and Marketing Service for the guidance of market agencies, packers, dealers, and other persons subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), and is issued as § 203.10 of Part 203, Chapter II, Title 9, Code of Federal Regulations, to read as follows:

§ 203.10 **Statement with respect to insolvency; definition of current assets and current liabilities.**

(a) Under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. section 181 et seq.), the principal test of insolvency is to determine whether a person's current liabilities exceed his current assets. This current ratio test of insolvency under the Act has been reviewed and affirmed by a United States Court of Appeals, Bowman v. United States Department of Agriculture, 363 F. 2d 81 (5th Cir. 1966).

(b) For the purposes of the administration of the Packers and Stockyards Act, 1921, the following terms shall be construed, respectively, to mean:

(1) "Current assets" means cash and other assets or resources commonly identified as those which are reasonably expected to be realized in cash or sold or consumed during the normal operating cycle of the business, which is considered to be 1 year.

(2) "Current liabilities" means obligations whose liquidation is reasonably expected to require the use of existing resources principally classifiable as current assets or the creation of other current liabilities during the one year operating cycle of the business.

(c) The term current assets generally includes: (1) Cash in bank or on hand; (2) sums due a market agency from a custodial account for shippers' proceeds; (3) accounts receivable, if collectable; (4) notes receivable and portions of long-term notes receivable within one year from date of balance sheet, if collectable; (5) inventories of livestock acquired for purposes of resale or for purposes of market support; (6) feed inventories and other inventories which are intended to be sold or consumed in the normal operating cycle of the business; (7) accounts due from employees, if collectable; (8) accounts due from officers of a corporation, if collectable; (9) accounts due from affiliates and subsidiaries of corporations if the financial position of such subsidiaries and affiliates justifies such classification; (10) marketable securities representing cash available for current operations and not otherwise pledged as security; (11) accrued interest receivable; and (12) prepaid expenses.

(d) The term current assets generally excludes: (1) Cash and claims to cash which are restricted as to withdrawal, such as custodial funds for shippers' proceeds and current proceeds receivable from the sale of livestock sold on a commission basis; (2) investments in securities (whether marketable or not) or advances which have been made for the purposes of control, affiliation, or other continuing business advantage; (3) receivables which are not expected to be collected within 12 months; (4) cash surrender value of life insurance policies; (5) land and other natural resources; and (6) depreciable assets.

(e) The term current liabilities generally includes: (1) Bank overdrafts (per books); (2) amounts due a custodial account for shippers' proceeds; (3) accounts payable within 1 year from date of balance sheet; (4) notes payable or portions thereof due and payable within 1 year from date of balance sheet; (5) accruals such as taxes, wages, social security, unemployment compensation, etc., due and payable as of the date of the balance sheet; and (6) all other liabilities whose regular and ordinary liquidation is expected to occur within 1 year.

This statement is for the purpose of setting forth the views of the Consumer and Marketing Service to guide those persons engaged in business subject to the Packers and Stockyards Act, 1921, as amended.

The foregoing statement shall become effective upon its publication in the FEDERAL REGISTER.

(Sec. 407(a), 42 Stat. 169, 72 Stat. 1750; 7 U.S.C. 228(a); interprets or applies secs. 202, 307, 312, 502, 505; 42 Stat. 161 et seq., as amended; 7 U.S.C. 192, 208, 213, 218a, 218d)

Done at Washington, D.C., this 1st day of May 1967.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 67–5037; Filed, May 4, 1967; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 7025; Amdts. 1–12; 61–32; 91–39; 135–5]

CATEGORY II OPERATION: GENERAL AVIATION AIRPLANES

Miscellaneous Amendments to Chapter

The purpose of these amendments to the Federal Aviation Regulations is to prescribe the requirements for a Category II operation. Compliance with these requirements will allow the conduct of an ILS approach and landing at certain airports with minima as low as a 100-foot decision height and 1,200 feet RVR. These amendments apply to all operations under Part 91, and to operations

by air taxi and commercial operators under Part 135.

The substance of these rules was fully discussed in FAA Notice No. 65–35 as published in the FEDERAL REGISTER on November 24, 1965 (29 F.R. 14600). As stated in that notice, the use of Category II minimums by general aviation operators, and air taxi and commercial operators, is premised upon the following general requirements to be adopted by the agency within the framework of the Federal Aviation Regulations: (1) Pilot qualifications and proficiency; (2) airplane equipment and maintenance; and (3) airport ground facilities.

Based upon public comments received in response to the notice and upon review within the agency, a number of changes have been made to the proposed rule. Most of these involve rewording and reorganization for greater clarity and consistency, but several changes affect the substance of the rule. The issue of a supplementary notice of proposed rule making to solicit comments upon these changes was considered. However, comments from the public on the original notice and from within the agency indicated that the further delays attendant to this course of action would not be in the best interest of those concerned. Consequently, the FAA is issuing a final rule and is soliciting further public comment on the substantive changes with a view towards possible future amendments. This action will allow those operators who have prepared for Category II operations to proceed with their qualification under these rules without further delay. The agency feels that this course of action is justified and is in the best interest of the public since the proposed rule was a relaxation of present regulations and therefore substantive changes would not impose any greater burden upon those affected than already exists.

Interested persons are invited to submit comments in duplicate addressed to Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590.

The most significant change expands the rule to apply to small nonturbojet airplanes. Comments on the notice indicated both the desire and the capability on the part of some operators of these airplanes to conduct Category II operations. Therefore, the rules adopted contain no limitation on the type of airplane that may be approved for Category II operations. They apply to all airplanes, large or small, operated under Part 91, and operated by Air Taxi and Commercial Operators under Part 135 of these regulations.

In addition, a number of these comments expressed the opinion that small aircraft could safely conduct Category II operations under existing IFR requirements, some of them with a single pilot. Studies are being conducted to determine the feasibility of establishing less stringent rules for smaller and slower aircraft. A separate proposal for these aircraft may be initiated at a later date.

Other more significant changes to the notice will: (1) Add certain definitions and symbols to Part 1 for use in the regulations and approach procedures; (2) require recent pilot experience for make and model of equipment; (3) add a list of required ground components; (4) make mandatory the procedures and instructions contained in the Category II manual; (5) add a marker beacon receiver to the equipment list and delete several other items of equipment; (6) remove the corrected barometric altimeters as a means for determining decision heights below 150 feet; (7) limit the evaluation program to the low approach system (flight control guidance system) and impose new criteria for the other equipment; (8) require the demonstrations of the evaluation program to be under simulated instrument conditions; and (9) require certain portions of the maintenance program to be performed by certificated repair stations.

Although the rules adopted are basically the same as those proposed in the notice, the changes mentioned above and other minor changes were made in response to comments from within and without the agency. These changes are explained in detail below.

1. *Definitions.* (a) It has been determined by the agency that the term "Category II Operation" should be defined in Part 1 of the Federal Aviation Regulations. As defined, the term will encompass all approaches under ILS instrument approach procedures designated as Category II by the administrator or other appropriate authority. Other appropriate authority includes the Armed Forces of the United States and foreign governments.

Since the use of a decision height is an integral part of a Category II operation and it is not defined in the regulations, Part I has also been amended to include a definition of the term "decision height" similar to that contained in AC–120–20.

(b) The symbols "Cat. II," "DH," and "RVR" are added to § 1.2 for use in Category II instrument approach procedures and other parts of the regulations. "RVR" is measured in the touchdown zone since at some airports this information is available for the rollout zone as well.

2. *Airports.* As stated in the notice, the runway visual range and decision height minimums for each airport at which a Category II operation is authorized will be prescribed by the administrator under Part 97, and shown in the appropriate approach charts for the airport.

The criteria for the ground system and for obstruction clearance that are used by the Administrator for establishing a Category II approach at an airport are shown in AC–120–20.

3. *Pilot qualifications and proficiency.* (a) As the notice would have limited Category II operations to airplanes that require a type rating, there was no necessity for placing that particular limitation on the Category II pilot authorization. However, it was the intention of the agency that no person should act as pilot in command during a Category II operation unless he was qualified in that type airplane. Since type ratings are not now required for small nonturbojet airplanes, it is now necessary to limit a Category II authorization to the type airplane in which a pilot has passed a practical test. The necessary limitations are accomplished by changes to §§ 61.3 (g) and 61.38 (redesignated as § 61.37A).

(b) The proposal would have required Category II authorizations for all pilots of foreign aircraft and for Part 91 operations by air carriers and commercial operators. In order to avoid this problem, an authorization for Category II operations that is granted by the country of registry of an aircraft is now acceptable under § 61.3(g) and subparagraph (3) of this section now excludes operations by Part 121 certificate holders.

(c) In response to comments received, the agency has decided to permit, in all airplanes including turbojets, the use of a flight control guidance system consisting either of an automatic approach coupler or a flight director system. In view of this modification of the equipment requirements, the experience requirements of § 61.37A(b)(2) have been changed to provide that at least three of the six ILS approaches must be manual, without the use of an approach coupler.

(d) The recent experience requirements for taking the periodic test are now applicable only to individuals who have not passed a practical test during the past year.

(e) The experience requirements of § 61.37A(b) have also been changed to make it clear that the required ILS approaches need not be conducted down to the minimums prescribed for Category II operations.

(f) Three comments suggested that the proposed rules be revised to allow the use of flight simulators for alternate practical tests after original qualification. Disposition of these comments is being withheld until more information is available as to the retention of proficiency by pilots holding Category II authorizations.

(g) Category II pilot tests, both original and periodic, will be given by an FAA inspector or an examiner designated by the Administrator. Standards for the qualification and designation of examiners are being developed and will be published in the near future.

(h) Since the rules adopted herein permit Category II operations with all airplanes and will also permit the use of either a flight director system or an automatic approach coupler, the instrument flight test procedures and maneuvers of the proposal have been changed to cover all airplanes using either equipment. Those multiengine airplanes lacking engine-out performance capability to make a missed approach are treated as single engine airplanes under these provisions.

(i) The requirement of a class or type rating for the second in command on a flight test has been added to § 61.37A (c)(2) to bring it in conformity with § 91.21.

(j) Due to the considerable variance in operation and presentation of different makes and models of flight control guid-

ance systems it was the intent of the agency, as expressed in the preamble to the notice and in § 61.3(g), to limit pilot authorizations to the particular make and model equipment used in the practical test. However, it has been determined that the purpose of this limitation can be accomplished by less restrictive means. Although a pilot authorization will not be so limited, § 61.47(h) will require the pilot in command to have recent experience with the particular equipment used in a Category II operation in addition to the renewal testing required under § 61.10. The experience may be acquired under actual or simulated instrument flight conditions and may be approaches made on the practical test, during training, or during actual operations.

4. *Operating requirements.* (a) Since the operations specifications of air carriers and commercial operators are only applicable to Part 121 operations, the proposed rules would have been applicable to Part 91 operations for these operators. The language of the exclusion has been expanded to avoid any applicability to Part 121 certificate holders. Section 91.6(d) also provides that Part 91 Category II operations by these operators must be conducted in accordance with Part 121 operations specifications. Although foreign aircraft will be covered by the general operating rules of § 91.6, the requirements concerning equipment, maintenance, and the Category II manual are only applicable to civil aircraft of United States registry.

(b) The format of § 91.6 of the proposal has been changed and only proposed paragraph (a) (3) and (4) remain in that section. A new paragraph (b) establishes the requirement of normal operation by all ground components of a Category II ILS and allows certain substitutions.

The language of § 91.117(h) was not particularly appropriate to Category II operations and the substance thereof has been added to § 91.6 in a new paragraph (c). Since either the pilot's authorization (as provided in § 61.5(e)) or the lack of decision height equipment in the aircraft (under section 2 of Appendix A, to be discussed below) may limit the operation to a 150-foot decision height, these limitations must be considered in addition to the decision height prescribed in the approach procedure.

The rules adopted do not set forth any restriction on the initiation of an approach. This allows general aviation pilots to conduct a Category II operation without regard to the reported weather just as they may do with a normal ILS approach. However, if the airplane is not in a position to land with the pilot having a visual refernce to the runway, a missed approach must be executed at the authorized decision height. The additional 50-foot descent allowed by § 91.117(h) when the airplane is clear of clouds is not applicable here because of the very critical altitudes to which descent is allowed in Category II operations.

(c) Most of the provisions regarding the Category II manual have been transferred to the Appendix. Section 91.34(a) (3) will require continuing compliance with the provisions of the maintenance program with respect to those instruments and equipment required for a particular approach. For instance, the operator would be in compliance for an approach to a 150-foot decision height, without a properly maintained radio altimeter or inner marker receiver, but would be in violation of this section if the same approach were continued to a 100-foot decision height.

The operational procedures, instructions, and limitations approved as a part of the Category II manual would serve very little purpose if they are not followed in the actual conduct of a Category II operation. Compliance with these approved procedures, instructions, and limitations is specifically required in § 91.34(a)(2).

(d) Proposed § 91.169(d) is deleted and its substance is incorporated in new § 91.34(a)(3).

5. *Airplane equipment.* (a) A sentence has been added to section 2 of the Appendix to emphasize that there is no necessity of duplicating instruments and equipment already required by § 91.33 and other provisions of the regulations.

(b) Section 2 of the Appendix has been divided into two groups of required instruments and equipment to avoid any misunderstanding as to those instruments and equipment subject to the various requirements of the maintenance program. Group I instruments and equipment must be bench checked both prior to approval and as a part of the maintenance program. In addition, they must be inspected or functionally flight checked once every 3 months. On the other hand, Group II instruments and equipment do not require special maintenance procedures other than those necessary to retain the original approval condition.

(c) A number of items in the equipment list have been reworded for clarity as to exactly what is required. Where applicable, the language has been brought into conformity with that used in § 91.33.

(d) In response to comments received, a sentence has been added to the ILS localizer and glide slope receiver requirements of section 2(a)(1) to provide that a single localizer antenna and glide slope antenna may be used. However, certain ILS installations have a single antenna and power source serving both the ILS receivers and the VHF communications system. With such an installation, use of the VHF communications causes loss of ILS indications, an undesirable situation during a Category II operation. Therefore, section 2(a)(2) requires that the use of the communication system must not affect the ILS system.

(e) A marker beacon receiver for the outer and middle marker is required by § 91.117(i) for ILS approaches, but this does not provide for distinctive indications. Since all airports with Category II approaches will be required to have an inner marker that is necessarily very close to the middle marker, the pilot must have a positive means of distinguishing between the two. This is provided for by sections 2(a) (3) and (10) of Appendix A.

(f) It has been determined that the free air temperature gauge and the dual systems for communications, power, and static pressure are not necessary.

(g) The flight control guidance system requirements have been amended to apply to all airplanes and now permit the use of either an automatic approach coupler or a flight director system.

(h) It has been decided that a special decision height system is not necessary for Category II operations with decision heights of 150 feet or greater. Operations to this height can be safely conducted using the barometric altimeters if there is available to the pilot a placarded correction for the instrument scale error and for the wheel height of the airplane. Scale error is determined by an altimeter test and inspection under Appendix E to Part 43. The wheel height correction is necessary only if the wheel-to-instrument height is in excess of the 10 feet presently allowed for in U.S. Weather Bureau altimeter settings provided for aircraft. For instance, a Boeing 707 aircraft has a 19-foot wheel-to-instrument height and would require a 9-foot correction under this rule.

The notice would have allowed either a radio altimeter or specially corrected barometric altimeters as a means for determining decision height at airports without an inner marker. These alternatives were derived from the requirements for air carriers who have been conducting Category II operations without inner markers. However, since publication of the notice, plans have been completed for inner marker installations at all airports that will be authorized for Category II operations. Consequently, the necessity for alternative decision height equipment is substantially diminished. The major purpose that the alternatives now serve will be to permit the conduct of a Category II operation when a ground or airborne component of the inner marker system is inoperative. In addition, considerable difficulty has been encountered in establishing a test program that will adequately correct barometric altimeters for use at a 100-foot decision height. This has prevented the agency from developing standards by which the accuracy of the altimeters can be measured. In view of these factors, which make the use of this alternative unlikely, the agency has decided to delete the barometric altimeters as a system for identifying decision heights below 150 feet.

This is not intended to preclude the use of the barometric altimeters at the lower decision heights if the satisfactory test program can be developed and they can be corrected so as to allow safe operation at a height of 100 feet. At such time the agency will consider a change to the equipment list to allow their use as a decision height identification system.

(i) The missed approach attitude guidance is deleted as unnecessary. The

attitude gyrosystems will invariably provide this guidance without imposition of an additional requirement.

(j) The essential instruments and equipment that require failure warning systems have been specifically listed in section 2(b)(1) of the Appendix.

(k) Although the whole tenor of the notice was that only dual piloted airplanes would be approved for Category II operations, dual controls were not provided for specifically. This deficiency is remedied in section 2(b)(2).

6. *Approval of equipment.* (a) The notice provided for approval of all instruments and equipment by either type or supplemental type certification or by an equipment evaluation program. However, the demonstrations of the evaluation program were designed only to test the flight control guidance system (low approach system). Consequently, the section of the Appendix has been reorganized to provide more realistic criteria for approval of the other instruments and equipment.

(b) The first two paragraphs of proposed section 2 have been combined into section 3(a). The reference to method of approval contained is dropped and new paragraphs (b), (c), and (d) now contain the criteria for approval of instruments and equipment.

(c) New section 3(b) now provides the three alternative methods of approval only for the flight control guidance system. In addition, it specifically requires approval of changes to make, model, or design. However, approval of these changes will not necessarily involve the same burden as the initial approval. Since the evaluation program demonstrations can be waived by the Administrator, it is possible for minor changes to be approved without any demonstration flights. Optional equipment, although not required by section 2 of the Appendix, must also be approved if it is to be used in Category II operations.

(d) The radio altimeter, if it is to be used as decision height equipment, is a critical system requiring stringent approval criteria. The evaluation program was deficient in this regard and separate performance criteria for approval have been established in new section 3(c).

(e) The balance of the required instruments and equipment are approved under new section 3(d) which is self-explanatory. It should be noted that only those changes that constitute alterations need be approved once the basic system has been approved.

(f) The evaluation program has been moved from section 2(c) to section 3(e). Application is made as a part of the application for approval of the Category II manual. Approval of the contents of the manual, including the maintenance program, will proceed concurrently with the instrument and equipment approval. Upon successful completion of the evaluation program, approval of the other instruments and equipment, and approval of the contents of the manual, the manual itself will be approved for that airplane. Thereafter, the airplane may be used in Category II operations, subject to the other operating rules.

(g) The requirements of the demonstrations have been reworded with two minor changes. Glide slope deviation allowable on a successful approach has been redefined in terms of indicator deflection and the demonstrations must be conducted under simulated instrument conditions in order to adequately evaluate the operation of the system. This does not preclude demonstrations under actual conditions to normal ILS minimums and then under simulated condition to 100 feet. However, since the airplane is not approved for Category II operations, it cannot be used in an approach under actual instrument conditions to 100 feet.

(h) No time limit for keeping evaluation program records was set in the notice. The final rule now requires this only for the duration of the program.

(i) A new subparagraph (4) has been added to the evaluation program since it was possible for a flight control guidance system to meet the criteria for successful approaches and still have dangerous design deficiencies. The criteria for successful approaches are not intended to be the sole standard for approval.

7. *Maintenance.* (a) A number of comments expressed concern over the large volume of material the operator would have to place in the maintenance portion of his Category II manual. In response to these comments, the agency is preparing an Advisory Circular that will contain guidelines from which an acceptable and moderate sized maintenance program for Category II instruments and equipment can be developed by the operators involved.

(b) The portions of the proposed section 3(a) relating to program approval are deleted since the maintenance program is an integral part of the Category II manual and will be approved as part of that document.

(c) In view of the misunderstanding of the term "overhaul," used in the maintenance program of the Appendix, it appears desirable to substitute the term "bench check" for the term "overhaul." The term "overhaul" denotes a complete tear down and reassembly. A "bench check," however, usually denotes a removal of the item from the airplane; a visual inspection for cleanliness, impending failure, need for lubrication, and need for repair or replacement of parts; the correction of any deficiencies found; and calibrations to the proper specifications. Since the latter meaning is intended, all references in the maintenance program have been appropriately amended. In addition, a definition of a "bench check" has been included in section 4(b) of the Appendix. One comment noted that any appropriately rated FAA approved repair station should be able to perform maintenance on required Category II equipment. Therefore, it would be unnecessary to list in the maintenance program each maintenance facility to be used by the operator. The agency agrees and has deleted this requirement from the contents of the maintenance program. However, bench checks (overhaul) are now required to be performed by certificated repair stations.

(d) The notice would have required evidence of bench check (overhaul) of equipment within 6 months before application for approval of the maintenance program. The 6-month period is changed to 12 months, and the section is rearranged and placed in section 4 so it is more clearly a requirement for approval rather than a part of the maintenance program. Specific criteria for these prior checks are also placed in new section 3(a). The references to Advisory Circular 20-31 in the proposal are replaced by an RTCA Paper since this is the only portion of the advisory circular that must be followed. A statement of cost and availability of the RTCA paper is also included.

(e) The list of instruments and equipment in the contents of the maintenance program is reduced to those specified in section 2 of the Appendix instead of all those required by § 91.33(f). It is also limited to those items that are approved for Category II operations and therefore subject to the maintenance program.

(f) The provisions of sections 3(a)(3), 3(a)(6), 3(b), and 3(c) have been reorganized and now comprise subparagraphs 4(a)(2) through (5) in the contents of the maintenance program.

(g) Section 3(a)(5) is deleted and its purpose is achieved by § 91.34(a)(3).

(h) The inspection schedule calls for inspections every three months as opposed to four inspections every 12 months proposed in the notice. The operational flight check is now called a functional flight check and the pilot's authorization must include the type airplane in which the equipment to be checked is installed.

(i) A new section 4(a)(6) will assure that the pilot is aware of any defects in instruments and equipment listed in the maintenance program. The knowledge will enable him to decide whether or not the airplane can be used in a Category II operation. If it can be so used, he will also know if it is limited to a 150-foot decision height because of a defect in the decision height system.

(j) Section 4(a)(7) assures that the listed instruments and equipment upon which maintenance is performed are returned to their originally approved condition. The ability to legally conduct a Category II operation depends on a compliance with the maintenance program and this procedure will be a part of that program. Therefore, if a piece of equipment is required for a particular Category II operation, but has not been maintained in its approved condition, the maintenance program has not been complied with and the airplane cannot be used for that Category II operation.

(l) Since § 43.9 requires maintenance records to be maintained in accordance with that section, the first sentence of proposed section 3(d) which referred to the recordkeeping requirements of § 43.9 is unnecessary and has been deleted from the rules as adopted. The requirement for data respecting a discontinued Category II approach has been retained in section 4(a)(8).

(k) A number of comments objected to the periodic maintenance requirements proposed for Category II navigation and communication equipment, particularly the requirement for an annual bench check. The FAA believes that the proposed periodic maintenance requirements are realistic and necessary, especially during the initial period of authorization to engage in Category II operations. However, the rule has been revised to allow extension of periodic maintenance intervals after the completion of at least one 12-month maintenance cycle, if the operator can show that longer intervals are justified on the basis of his operating experience.

8. *Part 135—Air taxi and commercial operators.* (a) In response to requests received from Part 135 operators, the agency has concluded that Category II operations should also be authorized for qualified operators of airplanes under Part 135. Since the rules of Part 91 apply to operations under Part 135, the amendments to Part 91 will apply to operations under Part 135. Each holder of an ATCO certificate will be required by § 135.9(a) to obtain an appropriate authorization in his operations specifications before conducting Category II operations under Part 135. This authorization will be given upon a showing by the operator that he meets the requirements of Parts 61 and 91 for a Category II operation. Those operators presently authorized to conduct Category II operations should continue to follow their present operations specifications until they are amended to provide for the conduct of those operations under Part 91.

(b) In order to make clear that two pilots are required for Category II operations and that such operations are not subject to the exceptions for limited IFR conditions and for the use of an autopilot system, a new § 135.72 has been added.

Upon consideration of the comments received in response to Notice 65-35, Parts 1, 61, 91, and 135 of the Federal Aviation Regulations are amended as follows, effective August 7, 1967.

PART 1—DEFINITIONS AND ABBREVIATIONS

1. By amending Part 1 as follows:

§ 1.1 [Amended]

a. By adding the following definitions to § 1.1 in their proper alphabetical order:

"Category II operations," with respect to the operation of aircraft, means a straight-in ILS approach to the runway of an airport under a Category II ILS instrument approach procedure issued by the Administrator or other appropriate authority.

"Decision height," with respect to the operation of aircraft, means the height at which a decision must be made, during an ILS or PAR instrument approach, to either continue the approach or to execute a missed approach.

§ 1.2 [Amended]

b. By adding the following abbreviations to § 1.2 in their proper alphabetical order:

"CAT II" means Category II.
"DH" means decision height.
"RVR" means runway visual range as measured in the touchdown zone area.

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

2. By amending Part 61 as follows:

a. By adding the following new paragraph at the end of § 61.3:

§ 61.3 Certificates and ratings required.

* * * * *

(g) *Category II pilot authorization.* (1) No person may act as pilot in command of a civil aircraft in a Category II operation unless he holds a current Category II pilot authorization for that type aircraft or, in the case of a civil aircraft of foreign registry, he is authorized by the country of registry to act as pilot in command of that aircraft in Category II operations.

(2) No person may act as second in command of a civil aircraft in a Category II operation unless he holds a current instrument rating or an airline transport pilot certificate or, in the case of a civil aircraft of foreign registry, he is authorized by the country of registry to act as second in command of that aircraft in Category II operations.

(3) This paragraph does not apply to operations conducted by the holder of a certificate issued under Part 121 of this chapter.

b. By redesignating § 61.5 (e) and (f) as (f) and (g), respectively, and inserting the following after § 61.5(d).

§ 61.5 Application and issue.

* * * * *

(e) A Category II pilot authorization is issued as a part of the applicant's instrument rating or airline transport pilot certificate. Upon original issue the authorization contains a limitation for Category II operations of 1,600 feet RVR and a 150-foot decision height. This limitation is removed when the holder shows that since the beginning of the sixth preceding calendar month he has made three Category II ILS approaches to a landing under actual or simulated instrument conditions with a 150-foot decision height.

* * * * *

c. By adding the following new section after § 61.9:

§ 61.10 Duration of Category II pilot authorization.

A Category II pilot authorization expires at the end of the sixth calendar month after it was issued or renewed. Upon passing a practical test it is renewed for each type airplane for which an authorization is held. However, an authorization for a particular type airplane will not be renewed to extend beyond the end of the 12th calendar month after the practical test was passed in that type airplane. If the holder of the authorization passes the practical test for a renewal in the calendar month before the authorization expires, he is considered to have passed it during the calendar month the authorization expired.

d. By adding the following new section after § 61.35:

§ 61.36 Category II pilot authorization: experience requirements.

(a) An applicant for a Category II pilot authorization must hold—

(1) A pilot certificate with an instrument rating or an airline transport pilot certificate; and

(2) A type rating for the airplane type if the authorization is requested for a large airplane or a small turbojet airplane.

(b) Except for the holder of an airline transport pilot certificate, an applicant for a Category II authorization must have at least—

(1) 50 hours of night flight time under VFR conditions as pilot in command;

(2) 75 hours of instrument time under actual or simulated conditions, that may include 25 hours in a synthetic trainer; and

(3) 250 hours of cross-country flight time as pilot in command.

Night flight and instrument flight time used to meet the requirements of subparagraphs (1) and (2) of this paragraph may also be used to meet the requirements of subparagraph (3) of this paragraph.

e. By adding the following new section after § 61.37:

§ 61.37A Category II pilot authorization: practical test.

(a) *Test required.* The practical test must be passed by—

(1) An applicant for issue or renewal of an authorization.

(2) An applicant for the addition of another type airplane to his authorization.

(b) *Eligibility.* To be eligible for the practical test an applicant under paragraph (a) of this section must meet the requirements of § 61.36 and, if he has not passed a practical test since the beginning of the 12th calendar month before the test, must meet the following recent experience requirements:

(1) The requirements of § 61.47 (d) or (e) appropriate to the pilot certificate held by the applicant.

(2) At least six ILS approaches since the beginning of the sixth calendar month before the test. These approaches must be under actual or simulated instrument flight conditions down to the minimum landing altitude for the ILS approach in the type airplane in which the flight test is to be conducted. However, the approaches need not be conducted down to the decision heights authorized for Category II operations. At least three of these approaches must have been conducted manually, without the use of an approach coupler.

The flight time acquired in meeting the requirements of subparagraph (2) of this paragraph may be used to meet the requirements of subparagraph (1) of this paragraph.

(c) *Practical test.* The practical test consists of two phases:

(1) *Phase I—oral operational test.* The applicant must demonstrate his knowledge of the following:

(i) Required landing distance.

(ii) Recognition of the decision height.

(iii) Missed approach procedures and techniques utilizing computed or fixed attitude guidance displays.

(iv) RVR, its use and limitations.

(v) Use of visual clues, their availability or limitations, and altitude at which they are normally discernible at reduced RVR readings.

(vi) Procedures and techniques related to transition from nonvisual to visual flight during a final approach under reduced RVR.

(vii) Effects of vertical and horizontal wind shear.

(viii) Characteristics and limitations of the ILS and runway lighting systems.

(ix) Characteristics and limitations of the flight director system, auto approach coupler (including split axis type if equipped), auto throttle system (if equipped), and other required Category II equipment.

(x) Assigned duties of the second in command during Category II approaches.

(xi) Instrument and equipment failure warning systems.

(2) *Phase II—Flight test.* The flight test must be taken in an airplane that meets the requirements of Part 91 of this chapter for Category II operations. The test consists of at least two ILS approaches to 100 feet including at least one landing and one missed approach. All approaches must be made with the approved flight control guidance system except that, if an approved automatic approach coupler is installed, at least one approach must be made manually. In the case of a multiengine airplane that has performance capability to execute a missed approach with an engine-out, the missed approach must be executed with one engine set in idle or zero thrust position before reaching the middle marker. The required flight maneuvers must be performed solely by reference to instruments and in coordination with a second in command who holds a class rating and, in the case of a large airplane or a small turbojet airplane, a type rating for that airplane.

f. By adding the following new paragraph at the end of § 61.47:

§ 61.47 Recent flight experience.

* * * * *

(h) *Instrument: Category II operation.* No person may act as pilot in command of a civil aircraft during a Category II operation unless, since the beginning of the sixth preceding calendar month, he has made at least three ILS approaches with the make and basic model flight control guidance system used in that operation. The approaches must have been made under actual or simulated instrument flight conditions to the minimum landing altitude for the ILS approach. However, the approaches need not be conducted down to the decision heights authorized for Category II operations.

PART 91—GENERAL OPERATIONS AND FLIGHT RULES

3. By amending Part 91 as follows:

a. By adding the following new section after § 91.5:

§ 91.6 Category II operation: general operating rules.

(a) No person may operate a civil aircraft in a Category II operation unless—

(1) The pilot flight crew of the aircraft consists of a pilot in command and a second in command who hold the appropriate authorizations and ratings prescribed in § 61.3 of this chapter; and

(2) Each flight crewmember has adequate knowledge of and familiarity with, the aircraft and the procedures to be used by him.

(b) Unless otherwise authorized by the Administrator, no person may operate a civil aircraft in a Category II operation unless each ground component required for that operation and the related airborne equipment is installed and operating. The ground components are localizer, glide slope, outer marker, middle marker, inner marker, approach lights, high intensity runway lights, touchdown zone lights, centerline lighting and marking, and a runway visual range system for the touchdown zone. In addition, when the runway visual range for the touchdown zone is reported as less than 1,600 feet, a rollout zone runway visual range system must be installed and operating. A compass locator or precision radar may be substituted for fixing the outer or middle marker. The inner marker is not required if the decision height to be used is 150 feet or greater or if the airplane has an approved radio altimeter as provided in Appendix A to this part.

(c) No person may operate an aircraft in a Category II operation below the authorized decision height unless—

(1) The aircraft is in a position from which a normal approach to the runway of intended landing can be made; and

(2) The approach threshold of that runway, or the approach lights or other markings identifiable with the approach end of that runway are clearly visible to the pilot.

If upon arrival at the authorized decision height, or at any time thereafter, any of the above requirements are not met, the pilot shall immediately execute the appropriate missed approach procedure. For the purposes of this paragraph, the authorized decision height is the decision height prescribed for the approach, authorized for the pilot in command, or for which the aircraft is equipped, whichever is higher.

(d) Paragraphs (a), (b), and (c) of this section do not apply to operations conducted by the holder of a certificate issued under Part 121 of this chapter. No person may operate a civil aircraft in a Category II operation conducted by the holder of a certificate issued under Part 121 of this chapter unless the operation is conducted in accordance with that certificate holder's operations specifications.

b. By striking out the references "(b)–(e)" in § 91.33(a) and inserting the references "(b) through (f)" in place thereof and by adding a new paragraph (f) to § 91.33 as follows:

§ 91.33 Powered civil aircraft with standard category U.S. airworthiness certificates; instrument and equipment requirements.

* * * * *

(f) *Category II operations.* For Category II operations the instruments and equipment specified in paragraph (d) of this section and Appendix A to this part are required. This paragraph does not apply to operations conducted by the holder of a certificate issued under Part 121 of this chapter.

c. By adding the following new section after § 91.33:

§ 91.34 Category II manual.

(a) No person may operate a civil aircraft of U.S. registry in a Category II operation unless—

(1) There is available in the aircraft a current approved Category II manual for that aircraft;

(2) The operation is conducted in accordance with the procedures, instructions, and limitations in that manual; and

(3) The instruments and equipment listed in the manual that are required for a particular Category II operation have been inspected and maintained in accordance with the maintenance program contained in that manual.

(b) Each operator shall keep a current copy of the approved manual at its principal base of operations and shall make it available for inspection upon request of the Administrator.

(c) This paragraph does not apply to operations conducted by the holder of a certificate issued under Part 121 of this chapter.

d. By adding a new Appendix A to read:

APPENDIX A

CATEGORY II OPERATIONS: MANUAL, INSTRUMENTS, EQUIPMENT AND MAINTENANCE

1. *Category II Manual*—(a) *Application for approval.* An applicant for approval of a Category II manual or an amendment to an approved Category II manual must submit the proposed manual or amendment to the General Aviation District Office having jurisdiction of the area in which the applicant is located. If the application requests an evaluation program, it must include the following:

(1) The location of the airplane and the place where the demonstrations are to be conducted; and

(2) The date the demonstrations are to commence (at least 10 days after filing the application).

(b) *Contents.* Each Category II manual must contain—

(1) the registration number, make, and model of the airplane to which it applies;

(2) A maintenance program as specified in section 4 of this Appendix; and

(3) The procedures and instructions related to recognition of decision height, use of runway visual range information, approach monitoring, the decision region (the region between the middle marker and the decision height), the maximum permissible deviations of the basic ILS indicator within the decision region, a missed approach, use of airborne low approach equipment, minimum altitude for the use of the autopilot, instrument and equipment failure warning systems, instrument failure, and other procedures, instructions, and limitations that may be found necessary by the Administrator.

2. *Required instruments and equipment.* The instruments and equipment listed in this section must be installed in each airplane operated in a Category II operation. This section does not require duplication of instruments and equipment required by § 91.33 or any other provisions of this chapter.

(a) *Group I.* (1) Two localizer and glide slope receiving systems. However, a single localizer antenna and a single glide slope antenna may be used.

(2) A communications system that does not affect the operation of at least one of the ILS systems.

(3) A marker beacon receiver that provides distinctive aural and visual indications of the outer and the middle marker.

(4) Two gyroscopic pitch and bank indicating systems.

(5) Two gyroscopic direction indicating systems.

(6) Two airspeed indicators.

(7) Two sensitive altimeters adjustable for barometric pressure, each having a placarded correction for altimeter scale error and for the wheel height of the airplane.

(8) Two vertical speed indicators.

(9) A flight control guidance system that consists of either an automatic approach coupler or a flight director system with dual displays, or both. A single axis flight director system giving computed roll information is acceptable if basic guide slope information is displayed on each of the dual displays.

(10) For Category II operations with decision heights below 150 feet, either a marker beacon receiver providing aural and visual indications of the inner marker or a radio altimeter.

(b) *Group II.* (1) Warning systems for immediate detection by the pilot of system faults in items (1), (4), (5), and (9) of Group I and, if installed, for use in Category II operations, the radio altimeter and auto throttle system.

(2) Dual controls.

(3) An externally vented static pressure system with an alternate static pressure source.

(4) A windshield wiper or equivalent means of providing adequate cockpit visibility for a safe visual transition by either pilot to touch down and roll out.

(5) A heat source for each airspeed system pitot tube installed or an equivalent means of preventing malfunctioning due to icing of the pitot system.

3. *Instruments and equipment approval—*(a) *General.* The instruments and equipment required by section 2 of this Appendix must be approved as provided in this section before being used in Category II operations. Before presenting an airplane for approval of the instruments and equipment, it must be shown that, since the beginning of the 12th calendar month before the date of submission—

(1) The ILS localizer and glide slope equipment were bench checked according to the manufacturer's instructions and found to meet those standards specified in RTCA Paper 23-63/DO-117, dated March 14, 1963, "Standard Adjustment Criteria for Airborne Localizer and Glide Slope Receivers," which may be obtained from the RTCA Secretariat, 2000 K Street NW., Washington, D.C. 20006, at cost of 50 cents per copy, payment in cash or by check or money order payable to the Radio Technical Commission for Aeronautics;

(2) The altimeters and the static pressure systems were tested and inspected in accordance with Appendix E to Part 43 of this chapter; and

(3) All other instruments and items of equipment specified in section 2(a) of this Appendix that are listed in the proposed maintenance program were bench checked and found to meet the manufacturer's specifications.

(b) *Flight control guidance system.* All components of the flight control guidance system must be approved as installed by the evaluation program specified in paragraph (e) of this section if they have not been approved for Category II operations under applicable type or supplemental type certification procedures. In addition, subsequent changes to make, model or design of these components must be approved under this paragraph. Related systems or devices such as the auto throttle and computed missed approach guidance system must be approved in the same manner if they are to be used for Category II operations.

(c) *Radio altimeter.* A radio altimeter must meet the performance criteria of this paragraph for original approval and after each subsequent alteration.

(1) It must display to the flight crew clearly and positively the wheel height of the main landing gear above the terrain.

(2) It must display wheel height above the terrain to an accuracy of plus or minus 5 feet or 5 percent, whichever is greater, under the following conditions:

(i) Pitch angles of zero to plus or minus 5 degrees about the mean approach attitude.

(ii) Roll angles of zero to 20 degrees in either direction.

(iii) Forward velocities from minimum approach speed up to 200 knots.

(iv) Sink rates from zero to 15 feet per second at altitudes from 100 to 200 feet.

(3) Over level ground, it must track the actual altitude of the airplane without significant lag or oscillation.

(4) With the airplane at an altitude of 200 feet or less, any abrupt change in terrain representing no more than 10 percent of the airplane's altitude must not cause the altimeter to unlock, and indicator response to such changes must not exceed 0.1 second, and in addition, if the system unlocks for greater changes, it must require the signal in less than 1 second.

(5) Systems that contain a push-to-test feature must test the entire system (with or without an antenna) at a simulated altitude of less than 500 feet.

(6) The system must provide to the flight crew a positive failure warning display any time there is a loss of power or an absence of ground return signals within the designed range of operating altitudes.

(d) *Other instruments and equipment.* All other instruments and items of equipment required by section 2 of this Appendix must be capable of performing as necessary for Category II operations. Approval is also required after each subsequent alteration to these instruments and items of equipment.

(e) *Evaluation program—*(1) *Application.* Approval by evaluation is requested as a part of the application for approval of the Category II manual.

(2) *Demonstrations.* Unless otherwise authorized by the Administrator, the evaluation program for each airplane requires the demonstrations specified in this subparagraph. At least 50 ILS approaches must be flown with at least five approaches on each of three different ILS facilities and no more than one-half of the total approaches on any one ILS facility. All approaches shall be flown under simulated instrument conditions to a 100-foot decision height and 90 percent of the total approaches made must be successful. A successful approach is one in which—

(i) At the 100-foot decision height, the indicated airspeed and heading are satisfactory for a normal flare and landing (speed must be plus or minus 5 knots of programed airspeed but may not be less than computed threshold speed, if auto throttles are used);

(ii) The airplane, at the 100-foot decision height, is positioned so that the cockpit is within, and tracking so as to remain within, the lateral confines of the runway extended;

(iii) Deviation from glide slope after leaving the outer marker does not exceed 50 percent of full scale deflection as displayed on the ILS indicator;

(iv) No unusual roughness or excessive attitude changes occur after leaving the middle marker; and

(v) In the case of an airplane equipped with an approach coupler, the airplane is sufficiently in trim when the approach coupler is disconnected at the decision height to allow for the continuation of a normal approach and landing.

(3) *Records.* During the evaluation program the following information must be maintained by the applicant for the airplane with respect to each approach and made available to the Administrator upon request:

(i) Each deficiency in airborne instruments and equipment that prevented the initiation of an approach.

(ii) The reasons for discontinuing an approach including the altitude above the runway at which it was discontinued.

(iii) Speed control at the 100-foot decision height if auto throttles are used.

(iv) Trim condition of the airplane upon disconnecting the auto coupler with respect to continuation to flare and landing.

(v) Position of the airplane at the middle marker and at the decision height indicated both on a digram of the basic ILS display and a diagram of the runway extended to the middle marker. Estimated touch down point must be indicated on the runway diagram.

(vi) Compatibility of flight director with the auto coupler, if applicable.

(vii) Quality of overall system performance.

(4) *Evaluation.* A final evaluation of the flight control guidance system is made upon successful completion of the demonstrations. If no hazardous tendencies have been displayed or are otherwise known to exist, the system is approved as installed.

4. *Maintenance program.* (a) Each maintenance program must contain the following:

(1) A list of each instrument and item of equipment specified in section 2 of this Appendix that is installed in the airplane and approved for Category II operations, including the make and model of those specified in section 2(a).

(2) A schedule that provides for the performance of inspections under subparagraph (5) of this paragraph within 3 calendar months after the date of the previous inspection. The inspection must be performed by a person authorized by Part 43 of this chapter, except that each alternate inspection may be replaced by a functional flight check. This functional flight check must be performed by a pilot holding a Category II pilot authorization for the type airplane checked.

(3) A schedule that provides for the performance of bench checks for each listed instrument and item of equipment that is specified in section 2(a) within 12 calendar months after the date of the previous bench check.

(4) A schedule that provides for the performance of a test and inspection of each static pressure system in accordance with Appendix E to Part 43 of this chapter within 12 calendar months after the date of the previous test and inspection.

(5) The procedures for the performance of the periodic inspections and functional flight checks to determine the ability of each listed instrument and item of equipment specified in section 2(a) of this Appendix to perform as approved for Category II operations including a procedure for recording functional flight checks.

(6) A procedure for assuring that the pilot is informed of all defects in listed instruments and items of equipment.

(7) A procedure for assuring that the condition of each listed instrument and item of equipment upon which maintenance is performed is at least equal to its Category II approval condition before it is returned to service for Category II operations.

(8) A procedure for an entry in the maintenance records required by § 43.9 of this chapter that shows the date, airport, and reasons for each discontinued Category II operation because of a malfunction of a listed instrument or item of equipment.

(b) *Bench check.* A bench check required by this section must comply with this paragraph.

(1) It must be performed by a certificated repair station holding one of the following ratings as appropriate to the equipment checked:

(i) An instrument rating.

(ii) A radio rating.

(iii) A rating issued under Subpart D of Part 145.

(2) It must consist of removal of an instrument or item of equipment and performance of the following:

(i) A visual inspection for cleanliness, impending failure, and the need for lubrication, repair, or replacement of parts;

(ii) Correction of items found by that visual inspection; and

(iii) Calibration to at least the manufacturer's specifications unless otherwise specified in the approved Category II manual for the airplane in which the instrument or item of equipment is installed.

(c) *Extensions.* After the completion of one maintenance cycle of 12 calendar months a request to extend the period for checks, tests, and inspections is approved if it is shown that the performance of particular equipment justifies the requested extension.

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS OF SMALL AIRCRAFT

4. By adding the following new section after § 135.71:

§ 135.72 Second in command required in Category II operations.

No person may operate an aircraft in a Category II operation unless there is a second in command of the aircraft.

(Secs. 313(a), 601, 602, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421–1423)

NOTE: The recordkeeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued in Washington, D.C., on April 25, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5033; Filed, May 4, 1967; 8:47 a.m.]

[Docket No. 7095; Amdts. 23-5, 25-11, 27-1, 29-2]

AIRCRAFT PROPULSION SYSTEM DESIGN REQUIREMENTS

Miscellaneous Amendments to Chapter

This amendment adds miscellaneous changes to the propulsion system design requirements for airplanes and rotorcraft. This amendment is based on, and reflects public comments concerning, notice of proposed rule making 65-43, published in the FEDERAL REGISTER (31 F.R. 93) on January 5, 1966. Except as modified by the following discussion, the reasons for this amendment are those in the notice. Changes to the proposals in the notice, and disposition of public comments, are as follows:

The amendments to the combustion heater fire protection requirements of §§ 23.859, 25.859, 27.859, and 29.859 are drafted as proposed. One comment objected to the proposals for the following reasons: (1) The commentator states that this amendment would cause unnecessary expense and increase system complexity with a resultant reduction in reliability. The Administrator disagrees. This amendment merely clarifies the rules to reflect longstanding administration of the rules to require the appropriate shutoff device when any of the listed conditions occurs. Combustion heaters have been meeting this requirement for many years without evidence of unnecessary complexity or reduced reliability related to the requirement. This amendment makes no substantive change to this practice; (2) the commentator states that the words "and hold off" are present in Parts 23 and 27 but not in Parts 25 and 29, which indicates that an unnecessary burden may be involved in the case of nontransport category aircraft and should be deleted from Parts 23 and 27. The words "and hold off" are in the present rule. This amendment was intended to effect no substantive change. This comment therefore goes beyond the legitimate scope of the notice. However, the Administrator agrees that this comment may have merit. The comment will therefore be retained for possible rule-making action; (3) the commentator states that the rule should be clarified to allow the pilot to reenergize the heater after it has been shut off in flight, and to allow the use of one safety device to meet the rule with respect to all of the listed conditions requiring shutoff. The Administrator disagrees. This amendment, as written, does not prohibit re-energizing the heater during flight, nor does it prohibit the use of a single device that otherwise complies.

Another comment stated that long operating experience with combustion heaters does not indicate a need for "this sophisticated system." As stated above, no change in practice would result from this clarifying amendment. No change in required degree of sophistication is intended. The cited long operating experience was in fact obtained with systems which meet the rule as currently administered and as reflected in this amendment.

Proposed new §§ 23.906, 25.906, 27.906, and 29.906 are withdrawn. These proposed sections would have required the applicant for an aircraft type certificate to obtain, from the engine and propeller manufacturer, all vibration information that those manufacturers can supply to show compliance with the vibration requirements for aircraft. One industry comment stated that the proposed rule is unnecessary since § 21.21(b) requires, for an aircraft, that no feature or characteristic make it unsafe for the category in which certification is requested. Another industry comment stated that the proposal is not stringent enough. The FAA will continue in the future, as it has in the past, to administer § 21.21 (b) to require the use of engine and propeller vibration data to account for vibration conditions that result from the combination of specific engines, propellers, and airframes, where such investigation is necessary for safety. It is believed, however, that the possible kinds and sources of adequate vibration data are too numerous to be adequately covered in a specific, enforceable standard at this time.

The proposed change to § 23.907, deleting the reference to the propeller manufacturer, was based on proposed new § 23.906 which would have made that reference redundant. Since proposed § 23.906 is withdrawn, the proposed change to § 23.907 is not appropriate and is also withdrawn.

The notice proposed to amend § 25.933 to require that each turbojet reversing system must have means to prevent the engine from producing more than "idle forward thrust" when the reversing controls are set for reverse but the reversing system is not in the reverse position. Two comments stated that the limitation to "idle forward thrust" would impede reverser design unnecessarily and suggested that maintenance of directional control during reverser malfunction should be the only test for compliance. The administrator agrees that safety does not require a limitation to any specific thrust value if directional control can in fact be maintained. The approach recommended by industry is therefore allowed, by exception, in this amendment. However, in adopting the industry approach, it must be pointed out that safety requires that directional control capabilities be investigated under the most critical conditions expected in operation. Safety also requires that such control be maintained with aerodynamic means alone, since rapid diagnosis of a reverser malfunction, and timely correction by use of thrust controls, cannot be assumed when a reverser fails at the most critical condition. Dependence, even partial dependence, on other nonaerodynamic means of control such as differential use of brakes, is also not consistent with safety under the most critical conditions in which reverser malfunction could occur. Section 25.933 is drafted to reflect these factors.

The notice proposed to amend § 25.939 to require that operation of the airplane

within the portion of the flight envelope that produces the "highest negative acceleration loads" may not cause hazardous malfunction of any part of the turbine powerplant, and to require that "the vibration characteristics" of turbine engine components whose failure could be catastrophic may not be "adversely affected" during normal operation. The notice also proposed to add new §§ 27.939 and 29.939 containing the requirements of § 25.959 in effect prior to this amendment plus the same negative acceleration and vibration requirements added to § 25.939.

One comment objected to the negative acceleration requirement for the following reasons: (1) The commentator states that the requirement involves engine design and may therefore be beyond the aircraft manufacturer's control. The Administrator does not agree that responsibility for proper operation of the turbine engine powerplant within the established flight envelope can be divided between the airplane and engine manufacturers during type certification of the airplane. Further, aircraft applicants have shown themselves capable of showing compliance with special conditions requiring that powerplant operation be safely maintained at vertical accelerations of less than zero g for specified lengths of time; (2) the commentator states that the requirement could be administered to require that the airplane be flown continuously to the negative limits of the maneuvering and gust envelopes for the airplane, whereas lesser negative acceleration loads may in fact be more critical from a fuel flow standpoint. The Administrator agrees with this comment. This result is not intended. The proposal is therefore amended to refer to "the negative acceleration * * * that is most critical from a fuel flow standpoint"; (3) the commentator states that substantiation of the fuel flow provisions under negative loads is not necessary because turbine engine powered airplanes either have continuous ignition or have systems that, when operated according to instructions in the Airplane Flight Manual, will provide ignition continuously during critical phases of takeoff, landing, icing conditions and in turbulence. The Administrator disagrees. While continuous ignition operation may broaden the range of fuel flow disturbances that can be tolerated without flameout, and is therefore significant from a safety standpoint, such ignition cannot prevent a flameout that results from fuel flow stoppage such as occurs when negative acceleration allows fuel ports to become uncovered. In such a case a restart cycle may be necessary. Instructions in the Airplane Flight Manual are no substitute for substantiation of the fuel system under negative loads; (4) the commentator states that long service experience shows that turbine engine fuel system components are not sensitive to negative acceleration loads, contrary to a statement in the preamble to the notice. The Administrator agrees in part. The sensitivity of the turbine fuel system to negative loads lies not in specific components, but rather in the sensitivity of the turbine engine to fuel flow stoppage, the high flow rates in the system, and the consequent speed with which air introduced into the system can reach the engine and result in flameout; (5) the commentator states that, while it is true that extended periods of negative acceleration may result in deterioration in performance due to interrupted flow, turbine engine fuel systems have been shown to be acceptable for the shorter exposure times actually encountered. The Administrator agrees. Investigation of the safety of turbine fuel systems under representative negative acceleration loads has long been required by special condition. This amendment therefore changes the proposal by adding the words "this must be shown for the greatest duration expected for that acceleration."

The commentator objected to the proposed vibration requirement, which affects Parts 25, 27, and 29, for the following reasons: (1) The commentator states that the proposal is unnecessary in Part 25, because of general § 25.601. The Administrator agrees that § 25.601 may be administered to cover specific vibration hazards. However, the Administrator's practice is to prescribe specific standards directly where such standards are in fact determined to be necessary for safety; (2) the commentator states that the proposal is unnecessary because vibration substantiation is already being done on a cooperative basis by industry. It is appreciated that vibration substantiations are already being accomplished. It should be noted, however, that special conditions have required such substantiation for more than a decade; (3) the commentator states that the proposal is too broad and, in the case of Parts 27 and 29, should be amended to refer to allowable vibration limits established by the engine manufacturer. The Administrator agrees. This amendment therefore covers only the turbine engine air inlet system, prohibits only harmful vibration resulting from air flow distortion, and covers normal operation only. This is consistent with special conditions applied over a large number of years. However, since there is no requirement that specific vibration limits (as opposed to values actually withstood during testing of the engine) be established by the engine manufacturer, the requested reference to allowable vibration limits established by the engine manufacturer is inappropriate and is not incorporated in this amendment.

One comment stated that the vibration standards should be similar to the more detailed standards in certain British Civil Airworthiness Requirements or, in the alternative, that similar material be placed in an Advisory Circular. While these suggestions go beyond the immediate scope of this amendment, they are appreciated and will be held for future reference.

The notice proposed to amend § 25.955 to require that turbine engine fuel systems "have means to automatically" ensure the uninterrupted flow of fuel to each turbine engine when the tank supplying that engine is depleted of fuel. One comment stated that the proposal should be limited to tanks which supply the engine in normal operation, and should not be applied to tanks that can supply the engine by cross feed. The Administrator agrees. This amendment thus uses the words "any other tank, that normally supplies fuel to that engine alone, * * *." One comment objected to the proposal, stating that the probability of an almost depleted tank in a single-tank-per-engine fuel system is very low. This amendment, however, applies only where another tank that normally supplies the engine contains usable fuel, which would not be the case in a single-tank-per-engine system. Another comment recommended that this amendment make it clear that manual switching capability is required. This comment is accepted. The proposal did not intend to eliminate present practice with respect to appropriate manual switching capability. A further comment objected to the proposal for the following reasons: (1) The commentator states that to require a "means" that is "automatic" strongly implies a sophisticated device that would introduce unnecessary hazards of its own. In order to prevent such an implication, this amendment more generally requires the fuel system design to "prevent interruption * * * without attention by the flight crew." No dictation of specific design or specific degree of complexity or sophistication is intended; (2) the commentator states that adequate fuel interruption warning is provided before flameout by fuel flow and pressure fluctuations, fuel pump low pressure warning lights, loss of rotor speed, reduction in EPR, and by fuel pressure and quantity instruments required by § 25.1305 (f) and (i). The Administrator disagrees. Considering the hazards of flameout outlined in the notice, experience has not shown that the monitoring of powerplant instruments provides a safe alternative to ensuring uninterrupted fuel flow without attention by the flight crew.

One comment objected to the proposal for the following reasons: (1) The commentator states that, to its knowledge, there has not been a problem with flameout caused by fuel interruption that indicates a need for automatic tank switching. Experience indicates that the hazard of flameout in a turbine fuel system is severe enough to warrant requiring, as a minimum standard, that some design feature (not necessarily "switching" that is "automatic") be incorporated to ensure uninterrupted fuel flow without attention by the flight crew; (2) the commentator states that an automatic switching device would result in a relaxation of fuel monitoring due to reliance on the device. It is likely that overall fuel management would suffer. Further, monitoring of the fuel in the nearly depleted condition is not adequate, even if present. It is for this reason that this amendment is made. Finally, necessary monitoring of possible failures of the means for ensuring uninterrupted flow can be safely provided by proper procedures; (3) the commentator cites the hazards of malfunction of the automatic device and the impracticability of

a sophisticated device. Existing manual switching, plus any necessary procedures for monitoring the device, will minimize any malfunction hazard when compared with the hazard of unexpected flameout. As mentioned above, this amendment does not specify any degree of complexity but only requires that appropriate "design features" be incorporated.

An editorial change is made to §§ 25.955 (b), 27.955(b) and 29.955(b) to correct an apparent departure from former §§ 4b.413(c), 6.420(c), and 7.413(c) of the Civil Air Regulations. These former sections contained the words "if an engine can be supplied with fuel from more than one tank." Sections 25.955(b), 27.955(b), and 29.955(b) shortened this language, without intentional change, to "if an engine can feed from more than one fuel tank." To preclude any questions concerning the applicability of the affected regulations, the language of the former sections is adopted without substantive change. There is no comparable problem in Part 23.

The notice proposed to amend § 25.961 to require that fuel system hot weather operating capability be shown up to the maximum operating altitude established as an operating limitation, and to limit the climb airspeed of turbine engine powered airplanes to that established for climbing to the maximum operating altitude. One comment stated that the proposal is not necessary for airplanes certificated for use with booster pumps that maintain the fuel system at a pressure greater than the vapor pressure of turbine fuels, up to the maximum operating altitude. The Administrator agrees. This amendment therefore excepts fuel systems having that capability, but is otherwise drafted as proposed.

The notice proposed to amend § 25.965 by replacing the present fuel tank vibration requirement based on a factor (0.9) related to engine speed with a requirement based on a specific vibration frequency (2,000 c.p.m.). One comment objected to this proposal on the ground that it appears to be a relaxation that would downgrade safety. The Administrator disagrees. This amendment, like its predecessor, applies only where no frequency of vibration resulting from any r.p.m. within the normal operating range of engine speeds is critical. This amendment does not replace the survey of engine speeds conducted under § 25.965 (b)(3) (ii) and (iii) to determine that no critical condition is overlooked. For the purpose of the test covered by this amendment (that is, substantiation of the tank itself rather than substantiation of tank-engine combinations), a test frequency of 2,000 c.p.m., when imposed at the required test amplitude of $\frac{1}{32}$ inch, has been shown to be severe enough to ensure the integrity of the tank itself. This comment cannot, therefore, be accepted. This amendment is drafted as proposed.

The notice proposed to amend § 25.969 to provide that an automatic shutoff must be provided, for pressure fueling systems, as the means of showing compliance with the current requirement that it must be impossible to fill the fuel tank expansion space inadvertently. One comment objected for the following reasons: The commentator states that this means of complying with present § 25.969 should not be limited to the proposed automatic shutoff device and that such a limitation would involve unnecessary dictation of design with respect to the means for preventing the filling of the expansion space. The Administrator agrees. For this reason, and to locate all pressure fueling provisions together, this amendment places the automatic fuel content limiting means requirement in § 25.979(b) and, to avoid unnecessary duplication, provides in § 25.969 (which is otherwise unchanged) that "for pressure fueling systems, compliance with this section may be shown with the means provided to comply with § 25.979 (b)"; the commentator states that the substance of the proposed change is already covered in § 25.979(b). The Administrator disagrees. This proposal, like § 25.969, covers only the limitation of fuel quantity. Section 25.979(b), however, covers protection from damaging overpressures that may result if (1) the fuel quantity limiting means fails, or (2) overpressures are transmitted, without "failure" of the fuel quantity limiting means, such as could occur, for example, where air in the tank does not escape under an abnormally high fueling source pressure (so that fuel quantity itself does not exceed "approved" limits) and the air then becomes part of the means by which overpressures are transmitted to the fuel system.

The notice proposed to amend the fuel tank outlet requirement of § 25.977 to require that fuel tank outlet strainers in turbine fuel systems be fine enough in mesh to prevent the passage of any object that could restrict fuel flow or damage any fuel system component, to require that an alternate means be provided in turbine fuel systems to provide uninterrupted fuel flow if the main strainer could become blocked with ice, and to require that this alternate means provide a level of fuel system component protection equal to that provided by the main strainer. One comment stated that the requirement that the main strainer prevent the passage of any object that could restrict fuel flow or damage components, if strictly interpreted, would lead to ice blockage of the means to prevent interruption of the fuel flow. The Administrator agrees. However, it is for this reason that the alternate means in § 25.977(b) was proposed. No change from the notice is necessary in this regard. The comment also states that a four-mesh screen of adequate size has been found to provide proper protection for the fuel system from a standpoint of both extraneous material and icing, and states that a four to eight mesh size should be prescribed specifically. The Administrator disagrees. No single mesh size, or single range of mesh sizes, has been shown to be adequate for turbine fuel systems generally. Another comment stated that it supports this amendment but that the prescribed alternate should not be a screen if another means of showing safety equal to the main strainer is available. This comment specifically mentions a pump inlet screen bypassing arrangement that might prevent pump damage. The Administrator agrees that the words "equal to" should not be administered to automatically exclude any available means of showing equal protection.

One comment stated that a second strainer is the only available alternative that is equal in safety to the main strainer, that safety would not be advanced by requiring a second strainer since both strainers could collect ice, that an actual need to protect against foreign matter in the tanks simultaneously with icing is not operationally probable, and that the rule should require a "high degree" of protection rather than protection "equal to" that of the main strainer. The Administrator disagrees. Means other than strainers are not precluded under this amendment if protection equal to the main strainer is shown. The probability of simultaneous icing of an alternate strainer and the main strainer is slight enough to justify use of a strainer as an alternate. The words "high degree" of safety would not be appropriate since protection of the fuel system is best measured relative to the protection provided by the main strainer, which must be acceptable to the Administrator. These comments cannot, therefore, be accepted. This amendment is drafted as proposed.

The notice proposed to amend § 25.979 to cover all pressure refueling systems, to eliminate a reference to the fuel access cover plate, to more fully describe the means of preventing damaging overpressures, and to require that this means comply under the maximum fueling rates and pressures for which the system is designed. One comment objected for the following reasons: The commentator stated that the proposed detailed means of preventing damaging overpressures (that is, providing either proper tank vent sizing or an overflow valve) unduly dictates design. The Administrator agrees. This amendment therefore requires a means to prevent excessive pressures, without further prescribing the method of compliance (§ 25.979(c)). The commentator stated that the change to cover spillage from the "system" rather than from the "tank" would lead to added complexity without increased safety. The commentator appears to answer its own objection by then stating that highly reliable poppet check valves are commonly available to limit fuel spillage to nonhazardous amounts. No specific degree of complexity is intended or specified in this amendment. The commentator states that the proposal would preclude spillage of "minor" quantities of fuel from the refueling manifold. This comment is not understood, since the proposal concerns only "hazardous" quantities of spilled fuel. The commentator stated that the prohibition of spillage is inconsistent with the fact that large quantities of fuel may be spilled in order to comply with the proposed pressure relief requirement (proposed

§ 25.979(b)). The Administrator disagrees. The pressure relief provisions specifically apply only to conditions following failure of the prescribed fuel quantity limiting means. Thus, the fuel spillage resulting from pressure relief is tolerated only as a necessary means of preventing a significantly greater hazard, such as structural damage to the airframe which may not be detected before flight, and is tolerated only as a consequence of pressure relief requirements prescribed as a backup to the fuel quantity limiting means. The commentator suggested wording that would limit the fuel spillage requirement to "uncontrolled quantities." Since hazardous quantities may or may not be "controlled" in some way, the requested language would not be useful in preventing a hazardous situation and therefore cannot be adopted. This part of the amendment is therefore drafted as proposed (§ 25.979(a)). Section 25.979(b) contains the required automatic shutoff means for limiting tank content that was proposed as part of § 25.969. This means is placed in § 25.979, rather than § 25.969 as proposed, for the reasons covered in the discussion of § 25.969 (see above).

The notice proposed a new § 25.981 containing certain fuel system lightning protection requirements. In order not to delay the issue of the numerous rule changes of this amendment, action on this proposal will be taken separately. The final rule on lightning protection is now in the process of being prepared and will be issued shortly.

The notice proposed to add a new § 25.1003 providing that no temperature inside any fuel tank may exceed a specified temperature and requiring that compliance be shown for all normal and abnormal operations of all components that are inside any tank or that could transmit heat to any tank, including all possible malfunctions of those components. This amendment adds a new § 25.981, rather than § 25.1003, since this amendment affects fuel tanks only (rather than fuel systems). One comment stated that substantiation for all "possible" malfunctions and "combination of malfunctions" would be unduly difficult. The Administrator agrees. This amendment specifies only "probable * * * conditions." The comment also stated that specification of a temperature limit to cover all present and future fuels and conditions is undesirable. The Administrator agrees. This amendment therefore incorporates only "the highest temperature allowing a safe margin below the lowest expected autoignition temperature of the fuel in the tanks." Another comment requested that the proposal be eliminated because future design improvements and fuel requirements would require different maximum fuel temperatures. This amendment meets this objection by requiring prevention of fuel autoignition without prescribing a universal maximum temperature.

The notice proposed to amend § 25.1041 to require adequate cooling not only when the airplane is operating but also "after engine shutdown." One comment stated that there may be abnormal engine shutdowns, such as an emergency shutdown from a high power setting, following which temperature limits may be exceeded. This comment stated that the proposal should be narrowed to include only "normal" engine shutdowns. The Administrator agrees. This amendment is so drafted.

The notice proposed to amend § 25.1141 to require that no probable failure or "combination of failures" in any powerplant control system may cause the failure of any function necessary for safety, and that compliance must be shown by "fault analysis, component tests, and simulated environmental tests." One comment objected to the proposal because (1) "combination of failures" is contrary to the basic philosophy that the airplane need only be capable of continued safe flight and landing after a single failure, and (2) compliance with the requirement should not be required to be by "fault analysis, component tests and simulated environmental tests" since accepted practice is to use fault analysis alone unless tests are necessary to substantiate the validity of a particular analytical result. The Administrator does not agree with the first statement. It is not the policy of the Administrator to ignore a probable combination of failures whose result would be hazardous. The Administrator does, however, agree with the second statement. A combination of means of showing compliance is therefore permitted under this amendment. In addition, two changes to the notice are made to more accurately express its intent. First, the prescribed failed "function" is limited to "powerplant function." Secondly, the words "failures or combination of failures" in the system is changed to include "malfunctions." The notice did not intend to raise a technical or semantic distinction between a powerplant control system "failure" and "malfunction" where their common result is discontinuance of an essential powerplant function.

The notice proposed to amend § 25.1153(b) to require only that "inadvertent" movement of the propeller control to the feathering position be prevented (rather than positive prevention of such movement as the rule currently required). One comment objected to this change as an undesirable relaxation. The Administrator disagrees. The present rules for propeller feathering controls generally (in § 25.1153(a)) and for reverse thrust controls (in § 25.1155) cover only "inadvertent" control operation. No higher standard has been shown to be necessary for propeller pitch or speed controls used for feathering. This amendment is drafted as proposed.

The notice proposed to broaden § 25.1155 to cover controls for propeller pitch settings below the flight regime, not just reverse thrust controls. One comment stated that the degree of complexity of such controls in a certain currently operational aircraft should not be exceeded in the administration of this amendment. This amendment is not intended to dictate any specific degree of complexity. Another comment objected, stating that this amendment relaxes the present rule by using the word "inadvertent." No relaxation results. The word "inadvertent" is used in the present rule. This amendment in fact increases a burden by extending § 25.1155 to cover controls heretofore not covered by the regulations. This amendment is drafted as proposed.

The notice proposed to delete § 25.1181 (c) and place its provisions, with certain amendments, in a new § 25.1182. One comment objected, stating that the fire protection requirements applicable to nacelle areas behind firewalls need not be extended to engine pod attaching structures because the present requirements have provided a superior level of safety for turbojet powered large airplanes and no record of fires in these structures is known. The Administrator agrees concerning the superior level of safety and good service record of engine pod attaching structures with respect to fire. However, this level of safety has resulted through the voluntary incorporation by industry of engine pod attaching structure design provisions meeting the fire protection provisions of §§ 25.1195 through 25.1201 (except those requiring fire detection and extinguishing). The Administrator agrees with one comment stating that safety does not require that engine pod attaching structures have fire detection and extinguishing provisions, and that those structures may be distinguished from nacelle areas behind the firewall in this regard. To this extent, the industry comment is accepted and this amendment is drafted accordingly. The commentator stated that the "firewall definition" paragraphs are not relevant for the fire zone, that the "internal boundaries" are not clearly defined, and that this will lead to ventilation, containment, and fire extinguishing system difficulties. The intent of this comment is not clear. However, there should be no difficulty in defining the area covered by the term "engine pod attaching structure." Further, the Administrator does not agree that the firewall provisions are irrelevant to this structure. For this structure, as well as for reciprocating engine installations, the firewall separates the engine nacelle from the airframe in compliance with the provisions of § 25.1191. Finally, the claimed relationship between the firewall defining provisions and possible future difficulties in ventilation, containment, and fire extinguishing is neither supported nor evident. This comment cannot, therefore, be accepted.

One comment requested that an exception should be provided (1) for engine pod attaching structures where the firewall between pod and pylon extends enough beyond the profile of the pylon to prevent propagation of fire from the pod area around the firewall to the pylon zone, and (2) for installations that have means to prevent contact of leaking flammable fluid with a hot firewall. The Administrator agrees that these safety provisions may be relevant in individual showings of equivalent safety that may justify design alternatives to the sections referenced in § 25.1182. However, within the terms framed by the commentator,

these safety provisions are not sufficiently definable to permit a general exception in the regulation. This comment cannot, therefore, be accepted.

No adverse comments having been received, the proposed change to §§ 23.1183, 25.1183, 27.1183, and 29.1183 (concerning lines and fittings approved as part of an engine) is drafted as proposed.

The notice proposed to add a new § 25.1305(x) to require "a means, for each air turbine engine starter not designed for continuous use, to indicate to the flight crew when that starter is energized." One comment stated that, for starters designed to contain failures of high energy rotating parts, no indicator should be required because no hazard would result even if the starter is not designed for continuous operation. Another comment stated that numerous possible factors, such as use of starters that cannot be used continuously, protection by starter location, and containment of failed components should obviate the need for an indicating means regardless of whether the starter is designed for continued operation. The Administrator agrees with these comments. This amendment therefore covers only starters that can be used continuously but that are neither designed for continuous operation nor designed to prevent hazard if they fail.

No adverse comments having been received, the proposed amendment to §§ 23.1585, 25.1585, 27.1585, and 29.1585 (concerning fuel system operating procedures) is drafted as proposed.

In consideration of the foregoing, Subchapter C of Chapter I of Title 14 of the Code of Federal Regulations is amended, effective June 4, 1967, as follows:

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

A. Part 23 is amended as follows:

1. Section 23.859(b) is amended to read as follows:

§ 23.859 Combustion heater fire protection.

* * * * *

(b) Means independent of the components provided for the normal continuous control of air temperature, airflow, and fuel flow must be provided, for each heater, to automatically shut off and hold off the ignition and fuel supply to that heater at a point remote from that heater when any of the following occurs:

(1) The heat exchanger temperature exceeds safe limits.

(2) The ventilating air temperature exceeds safe limits.

(3) The combustion airflow becomes inadequate for safe operation.

(4) The ventilating airflow becomes inadequate for safe operation.

2. Section 23.1183(b)(1) is amended to read as follows:

§ 23.1183 Lines and fittings.

* * * * *

(b) * * *

(1) Lines and fittings already approved as part of a type certificated engine under Part 33 of this chapter; and

* * * * *

3. A new § 23.1585(d) is added to read as follows:

§ 23.1585 Operating procedures.

* * * * *

(d) For multiengine airplanes, information identifying each operating condition in which the fuel system independence prescribed in § 23.953 is necessary for safety must be furnished, together with instructions for placing the fuel system in a configuration used to show compliance with that section.

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

B. Part 25 is amended as follows:

1. Section 25.859(e)(1) is amended to read as follows:

§ 25.859 Combustion heater fire protection.

* * * * *

(e) * * *

(1) Means independent of the components provided for the normal continuous control of air temperature, airflow, and fuel flow must be provided, for each heater, to automatically shut off the ignition and fuel supply to that heater at a point remote from that heater when any of the following occurs:

(i) The heat exchanger temperature exceeds safe limits.

(ii) The ventilating air temperature exceeds safe limits.

(iii) The combustion airflow becomes inadequate for safe operation.

(iv) The ventilating airflow becomes inadequate for safe operation.

* * * * *

2. Section 25.933 is amended by adding the following new paragraph (d):

§ 25.933 Reversing systems.

* * * * *

(d) Each turbojet reversing system must have means to prevent the engine from producing more than idle forward thrust when the reversing system malfunctions, except that it may produce any greater forward thrust that is shown to allow directional control to be maintained, with aerodynamic means alone, under the most critical reversing condition expected in operation.

3. Section 25.939 is amended to read as follows:

§ 25.939 Turbine engine operating characteristics.

(a) Turbine engine operating characteristics must be investigated in flight to determine that no adverse characteristics (such as stall, surge, or flameout) are present, to a hazardous degree, during normal and emergency operation within the range of operating limitations of the airplane and of the engine.

(b) No hazardous malfunction of the turbine engine may occur when the airplane is operated at the negative acceleration, within the flight envelope prescribed in § 25.333, that is most critical from a fuel flow standpoint. This must be shown for the greatest duration expected for that acceleration.

(c) The turbine engine air inlet system may not, as a result of air flow distortion during normal operation, cause vibration harmful to the engine.

4. Section 25.955(b) is amended to read as follows:

§ 25.955 Fuel flow.

* * * * *

(b) If an engine can be supplied with fuel from more than one tank, the fuel system must—

(1) For each reciprocating engine, supply the full fuel pressure to that engine in not more than 20 seconds after switching to any other fuel tank containing usable fuel when engine malfunctioning becomes apparent due to the depletion of the fuel supply in any tank from which the engine can be fed; and

(2) For each turbine engine, in addition to having appropriate manual switching capability, be designed to prevent interruption of fuel flow to that engine, without attention by the flight crew, when any tank supplying fuel to that engine is depleted of usable fuel during normal operation, and any other tank, that normally supplies fuel to that engine alone, contains usable fuel.

5. Section 25.961 is amended to read as follows:

§ 25.961 Fuel system hot weather operation.

(a) The fuel system must perform satisfactorily in hot weather operation. This must be shown by showing that the fuel system from the tank outlets to each engine is pressurized, under all intended operations, so as to prevent vapor formation, or must be shown by climbing from the altitude of the airport elected by the applicant to the maximum altitude established as an operating limitation under § 25.1527. If a climb test is elected, there may be no evidence of vapor lock or other malfunctioning during the climb test conducted under the following conditions:

(1) For reciprocating engine powered airplanes, the engines must operate at maximum continuous power, except that takeoff power must be used for the altitudes from 1,000 feet below the critical altitude through the critical altitude. The time interval during which takeoff power is used may not be less than the takeoff time limitation.

(2) For turbine engine powered airplanes, the engines must operate at takeoff power for the time interval selected for showing the takeoff flight path, and at maximum continuous power for the rest of the climb.

(3) The weight of the airplane must be the weight with full fuel tanks, minimum crew, and the ballast necessary to maintain the center of gravity within allowable limits.

(4) The climb airspeed may not exceed—

(i) For reciprocating engine powered airplanes, that speed allowing compliance with the minimum climb requirement specified in § 25.65(a); and

(ii) For turbine engine powered airplanes, the maximum airspeed established for climbing from takeoff to the maximum operating altitude.

(5) The fuel temperature must be at least 110° F.

(b) The test prescribed in paragraph (a) of this section may be performed in flight or on the ground under closely simulated flight conditions. If a flight test is performed in weather cold enough to interfere with the proper conduct of the test, the fuel tank surfaces, fuel lines, and other fuel system parts subject to cold air must be insulated to simulate, insofar as practicable, flight in hot weather.

6. Section 25.965(b)(3)(i) is amended to read as follows:

§ 25.965 Fuel tank tests.

* * * * *

(b) * * *

(3) * * *

(i) If no frequency of vibration resulting from any r.p.m. within the normal operating range of engine speeds is critical, the test frequency of vibration must be 2,000 cycles per minute.

* * * * *

7. Section 25.969 is amended to read as follows:

§ 25.969 Fuel tank expansion space.

Each fuel tank must have an expansion space of not less than 2 percent of the tank capacity. It must be impossible to fill the expansion space inadvertently with the airplane in the normal ground attitude. For pressure fueling systems, compliance with this section may be shown with the means provided to comply with § 25.979(b).

8. Section 25.977 is amended to read as follows:

§ 25.977 Fuel tank outlet.

(a) There must be a fuel strainer for the fuel tank outlet or for the booster pump. This strainer must—

(1) For reciprocating engine powered airplanes, have 8 to 16 meshes per inch; and

(2) For turbine engine powered airplanes, prevent the passage of any object that could restrict fuel flow or damage any fuel system component.

(b) For turbine engine powered airplanes, there must be a means to ensure uninterrupted fuel flow to the engine if the strainer prescribed in paragraph (a) of this section is subject to ice accumulation. This means must provide protection to the fuel system components equal to that provided by the strainer prescribed in paragraph (a) of this section.

(c) The clear area of each fuel tank outlet strainer must be at least five times the area of the outlet line.

(d) The diameter of each strainer must be at least that of the fuel tank outlet.

(e) Each finger strainer must be accessible for inspection and cleaning.

9. Section 25.979 is amended to read as follows:

§ 25.979 Pressure fueling system.

For pressure fueling systems, the following apply:

(a) Each pressure fueling system fuel manifold connection must have means to prevent the escape of hazardous quantities of fuel from the system if the fuel entry valve fails.

(b) An automatic shutoff means must be provided to prevent the quantity of fuel in each tank from exceeding the maximum quantity approved for that tank. This means must—

(1) Allow checking for proper shutoff operation before each fueling of the tank; and

(2) Provide indication, at each fueling station, of failure of the shutoff means to stop fuel flow at the desired level.

(c) A means must be provided to prevent damage to the fuel system in the event of failure of the automatic shutoff means prescribed in paragraph (b) of this section.

10. A new § 25.981 is added, before the center heading "Fuel System Components," to read as follows:

§ 25.981 Fuel tank temperature.

(a) The highest temperature allowing a safe margin below the lowest expected autoignition temperature of the fuel in the fuel tanks must be determined.

(b) No temperature at any place inside any fuel tank where fuel ignition is possible may exceed the temperature determined under paragraph (a) of this section. This must be shown under all probable operating, failure, and malfunction conditions of any component whose operation, failure, or malfunction could increase the temperature inside the tank.

11. Section 25.1041 is amended to read as follows:

§ 25.1041 General.

The powerplant cooling provisions must be able to maintain the temperatures of powerplant components and engine fluids within the temperature limits established for these components and fluids, under ground, water, and flight operating conditions, and after normal engine shutdown.

12. A new § 25.1141(e) is added to read as follows:

§ 25.1141 Powerplant controls: general.

* * * * *

(e) No single failure or malfunction, or probable combination thereof, in any powerplant control system may cause the failure of any powerplant function necessary for safety.

13. Section 25.1153(b) is amended to read as follows:

§ 25.1153 Propeller feathering controls.

* * * * *

(b) If feathering is accomplished by movement of the propeller pitch or speed control lever, there must be means to prevent the inadvertent movement of this lever to the feathering position during normal operation.

14. Section 25.1155 is amended to read as follows:

§ 25.1155 Reverse thrust and propeller pitch settings below the flight regime.

Each control for reverse thrust and for propeller pitch settings below the flight regime must have means to prevent its inadvertent operation. The means must have a positive lock or stop at the flight idle position and must require a separate and distinct operation by the crew to displace the control from the flight regime (forward thrust regime for turbojet powered airplanes).

§ 25.1181 [Amended]

15. Section 25.1181(c) is deleted and a new § 25.1182 is added to read as follows:

§ 25.1182 Nacelle areas behind firewalls, and engine pod attaching structures containing flammable fluid lines.

(a) Each nacelle area immediately behind the firewall, and each portion of any engine pod attaching structure containing flammable fluid lines, must meet each requirement of §§ 25.1103(b), 25.1165 (d) and (e), 25.1183, 25.1185(c), 25.1187, 25.1189, and 25.1195 through 25.1203, including those concerning designated fire zones. However, engine pod attaching structures need not contain fire detection or extinguishing means.

(b) For each area covered by paragraph (a) of this section that contains a retractable landing gear, compliance with that paragraph need only be shown with the landing gear retracted.

16. Section 25.1183(b)(1) is amended to read as follows:

§ 25.1183 Lines and fittings.

* * * * *

(b) * * *

(1) Lines and fittings already approved as part of a type certificated engine under Part 33 of this chapter; and

* * * * *

17. A new § 25.1305(x) is added to read as follows:

§ 25.1305 Powerplant instruments.

* * * * *

(x) For turbine engine powered airplanes, a means to indicate, to the flight crew, the operation of each engine starter that can be operated continuously but that is neither designed for continuous operation nor designed to prevent hazard if it fails.

18. A new § 25.1585(b) is added to read as follows:

§ 25.1585 Operating procedures.

* * * * *

(b) Information identifying each operating condition in which the fuel system independence prescribed in § 25.953 is necessary for safety must be furnished, together with instructions for placing the fuel system in a configuration used to show compliance with that section.

PART 27—AIRWORTHINESS STANDARDS: NORMAL CATEGORY ROTORCRAFT

C. Part 27 is amended as follows:

1. Section 27.859(c)(2) is amended to read as follows:

§ 27.859 Heating systems.

* * * * *

(c) * * *

(2) Means independent of the components provided for the normal continuous control of air temperature, airflow, and fuel flow must be provided, for each heater, to automatically shut off and hold off the ignition and fuel supply of that heater at a point remote from that heater when any of the following occurs:

(i) The heat exchanger temperature exceeds safe limits.

(ii) The ventilating air temperature exceeds safe limits.

(iii) The combustion airflow becomes inadequate for safe operation.

(iv) The ventilating airflow becomes inadequate for safe operation.

2. A new § 27.939 is added, before the center heading "Fuel System," to read as follows:

§ 27.939 Turbine engine operating characteristics.

(a) Turbine engine operating characteristics must be investigated in flight to determine that no adverse characteristics (such as stall, surge, or flameout) are present, to a hazardous degree, during normal and emergency operation within the range of operating limitations of the rotorcraft and of the engine.

(b) The turbine engine air inlet system may not, as a result of airflow distortion during normal operation, cause vibration harmful to the engine.

3. Section 27.955(b) is amended to read as follows:

§ 27.955 Fuel flow.

* * * * *

(b) If an engine can be supplied with fuel from more than one tank, the fuel system must feed promptly when fuel becomes low in one tank and another tank is selected.

4. Section 27.1183(b)(1) is amended to read as follows:

§ 27.1183 Lines and fittings.

* * * * *

(b) * * *

(1) Lines and fittings already approved as part of a type certificated engine under Part 33 of this chapter; and

* * * * *

5. Section 27.1585 is amended to read as follows:

§ 27.1585 Operating procedures.

(a) Parts of the manual containing operating procedures must have information concerning any normal and emergency procedures, and other information necessary for safe operation, including takeoff and landing procedures and associated airspeeds.

(b) For multiengine rotorcraft, information identifying each operating condition in which the fuel system independence prescribed in § 27.953 is necessary for safety must be furnished, together with instructions for placing the fuel system in a configuration used to show compliance with that section.

PART 29—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY ROTORCRAFT

D. Part 29 is amended as follows:

1. Section 29.859(e)(1) is amended to read as follows:

§ 29.859 Combustion heater fire protection.

* * * * *

(e) * * *

(1) Means independent of the components provided for the normal continuous control of air temperature, airflow, and fuel flow must be provided, for each heater, to automatically shut off the ignition and fuel supply of that heater at a point remote from that heater when any of the following occurs:

(i) The heat exchanger temperature exceeds safe limits.

(ii) The ventilating air temperature exceeds safe limits.

(iii) The combustion airflow becomes inadequate for safe operation.

(iv) The ventilating airflow becomes inadequate for safe operation.

* * * * *

2. A new § 29.939 is added, before the center heading "Fuel System," to read as follows:

§ 29.939 Turbine engine operating characteristics.

(a) Turbine engine operating characteristics must be investigated in flight to determine that no adverse characteristics (such as stall, surge, or flameout) are present, to a hazardous degree, during normal and emergency operation within the range of operating limitations of the rotorcraft and of the engine.

(b) The turbine engine air inlet system may not, as a result of airflow distortion during normal operation, cause vibration harmful to the engine.

3. Section 29.955(b) is amended to read as follows:

§ 29.955 Fuel flow.

* * * * *

(b) If an engine can be supplied with fuel from more than one tank, the fuel system must feed promptly when fuel becomes low in one tank and another tank is selected.

4. Section 29.1183(b)(1) is amended to read as follows:

§ 29.1183 Lines and fittings.

* * * * *

(b) * * *

(1) Lines and fittings already approved as part of a type certificated engine under Part 33 of this chapter; and

* * * * *

5. Section 29.1585 is amended to read as follows:

§ 29.1585 Operating procedures.

(a) The parts of the manual containing operating procedures must have information concerning any normal and emergency procedures, and other information necessary for safe operation, including the applicable procedures, such as those involving minimum speeds, to be followed if an engine fails.

(b) For multiengine rotorcraft, information identifying each operating condition in which the fuel system independence prescribed in § 29.953 is necessary for safety must be furnished, together with instructions for placing the fuel system in a configuration used to show compliance with that section.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on April 28, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5034; Filed, May 4, 1967; 8:47 a.m.]

[Docket No. 67-CE-AD-4; Amdt. 39-408]

PART 39—AIRWORTHINESS DIRECTIVES

Certain Models of Beechcraft Airplanes

Amendment 39-368 (32 F.R. 3971), AD 67-8-2, requires repetitive inspection, using X-ray method or FAA-approved equivalent, of the elliptical lower spar caps of the outboard wing panels at two designated areas on each wing, and replacement of any found cracked with an airworthy part, of certain model Beechcraft airplanes, including Model D18S (Serial Nos. A-1 through A-440) airplanes, with 1,500 hours' or more time in service. These model airplanes were manufactured with P/N 181410-5 tube of .095 inch wall thickness which comprises the lower spar cap on the inboard end of the outboard wing panel steel truss. AD 67-8-2 was not made applicable to Beechcraft Model D18S airplanes commencing with Serial Number A-441, since these airplanes were manufactured with P/N 181410-5 tube of increased wall thickness (.120 inch) in the affected areas. After issuing Amendment 39-368, the FAA determined that subsequent to manufacture, the wings of some Beechcraft Model D18S airplanes commencing with Serial Number A-441 may have been replaced with wings containing lower spar caps of .095 inch wall thickness, while the wings of other Beechcraft model airplanes listed in the AD may have been or subsequently will be replaced with wings containing lower spar caps of .120 inch wall thickness. Therefore, the AD is being revised to make it applicable only to those Beechcraft model airplanes containing P/N 181410-5 tube with .095 inch wall thickness. Those airplanes equipped with outboard wing panels containing P/N 181410-5 tube of .120 inch wall thickness have been in-

cluded as exceptions in the applicability statement. This amendment will permit Model D18S (Serial Nos. A-441 and up) airplanes to comply with the AD within the next 25 hours' time in service after the effective date of this amendment.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedures Act is not practicable, and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-368 (32 F.R. 3971), AD 67-8-2, is amended as follows:

1. The applicability statement is amended to read as follows:

BEECHCRAFT. Applies to Model C18S, AT-11, C-45, C45A, UC-45B, UC-45F, AT-7, AT-7A, AT-7B, AT-7C, JRB-1, JRB-2, JRB-3, JRB-4, SNB-1, SNB-2, SNB-2C, C45G, TC-45G, C45H, TC-45H, TC-45J (SNB-5), JRB-6, D18C, D18CT, D18S (Serial Nos. A-1 through A-440 inclusive), and D18S (Serial Nos. A-441 and up equipped with any outboard wing panel now or hereafter replaced in service) airplanes with 1500 hours' or more time in service, except any model airplane listed herein equipped with outboard wing panels containing P/N 181410-5 tube of .120 inch wall thickness.

2. The compliance paragraphs are amended to read as follows:

Compliance required as indicated.

To detect cracks in the lower spar caps of the outboard wing panels, (1) for all model airplanes listed herein except Model D18S (Serial Nos. A-441 and up) airplanes, within the next 25 hours' time in service after March 11, 1967, and (2) for all Model D18S (Serial Nos. A-441 and up) airplanes to which this AD is applicable, within the next 25 hours' time in service after the effective date of this amended AD, unless already accomplished, and thereafter at intervals of not to exceed 500 hours' time in service from the date of the last inspection, accomplish the following:

3. The following new note is inserted after the paragraph entitled "NOTE (c)":

NOTE: Determination of the wall thickness of P/N 181410-5 tube may be made by tracing the history of the replacement panel, or by ultrasonic inspection procedures, or by FAA-approved equivalent.

This amendment becomes effective May 5, 1967.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Kansas City, Mo., on April 28, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-5108; Filed, May 4, 1967; 8:50 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8128; Amdt. 534]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Augusta VOR	Augusta RBn	Direct	2000	T-dn#	300-1	300-1	200-½
New Gloucester RBn	Augusta RBn	Direct	2500	C-dn	600-1	600-1	600-1½
				S-dn			
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 260° Outbnd, 080° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 1200'.
Crs and distance, facility to airport, 080°—1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing AUG RBn, make right-climbing turn to 2000' direct AUG RBn. Hold W of AUG RBn, 080° Inbnd, 1-minute right turns.
NOTE: Approach from a holding pattern not authorized. Procedure turn required.
CAUTION: 397' antenna, 1.3 miles W of airport. 545' terrain and trees 0.9 mile S of airport.
#Runway 17 departures: Climb on magnetic heading 150° to 1000' before proceeding southwestbound.
MSA within 25 miles of facility: 000°-090°—2300'; 090°-180°—2200'; 180°-270°—2100'; 270°-360°—3600'.

City, Augusta; State, Maine; Airport name, Augusta State; Elev., 357'; Fac. Class., BH; Ident., AUG; Procedure No. NDB(ADF) Runway 8, Amdt. Orig.; Eff. date, 27 May 67

PROCEDURE CANCELED, EFFECTIVE 27 MAY 1967.

City, Bismarck; State, N. Dak.; Airport name, Bismarck Municipal; Elev., 1677'; Fac. Class., BH; Ident., BIS; Procedure No. 2, Amdt. 3; Eff. date, 20 Aug. 66; Sup. Amdt. No. 2; Dated, 19 Mar. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bismarck VOR	LOM	Direct	3300	T-dn %*	300-1	300-1	200-½
Lincoln Int	LOM	Direct	3300	C-d	500-1	500-1	500-1½
Bell Int	LOM	Direct	3300	C-n	500-1½	500-1½	500-1½
				S-dn-30	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 126° Outbnd, 306° Inbnd, 3300' within 10 miles.
Crs and distance, facility to airport, 306°—5.8 miles.
Minimum altitude over LOM inbnd on final approach crs, 3000'.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing BI LOM, climb to 3800' on 286° bearing from BI LOM within 10 miles, or when directed by ATC, make right-climbing turn to 3800' on R 336° BIS VOR within 10 miles.
* When weather is below 1800-2 and aircraft is departing southwestbound, flight below 3900' beyond 5 miles from airport is prohibited between radials 175° and 230°, inclusive of the BIS VOR, due to 3373' tower, 10 miles SSW of airport.
MSA within 25 miles of facility: 270°-090°—3400'; 090°-180°—3300'; 180°-270°—4400'.

City, Bismarck; State, N. Dak.; Airport name, Bismarck Municipal; Elev., 1677'; Fac. Class., SBH/LOM; Ident., BI; Procedure No. NDB (ADF) Runway 30, Amdt. 19; Eff. date, 27 May 67; Sup. Amdt. No. ADF 1, Amdt. 18; Dated, 20 Aug. 66

10-mile Radar Fix, R 030°, BOS VORTAC.	Revere Int, or 5-mile Radar Fix, R 030°, BOS VORTAC (final).	Direct	1200	T-dn %*	300-1	300-1	200-½
				C-dn#	600-1	600-1	600-1½
Bedford RBn	OS LMM	Direct	2000	S-dn-22L**	600-1	600-1	600-1
Dorchester Int	OS LMM	Direct	2000	A-dn	800-2	800-2	800-2
Whitman VOR	OS LMM	Direct	2000				
Cohasset Int	OS LMM	Direct	2000				

Radar available.
Procedure turn E side of crs, 035° Outbnd, 215° Inbnd, 1500' within 12 miles of OS LMM.
Minimum altitude over Revere Int or 5-mile Radar Fix on final approach crs, 1200'.
Crs and distance, Revere Int (5-mile Radar Fix) to airport, 215°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing Revere Int or passing BOS RBn climb straight ahead to 2000', direct to BO LOM. Hold SW of BO LOM 035° Inbnd, 1-minute right turns, or when directed by ATC, make left-climbing turn to 2000' direct E, Boston Int. Hold SE of E Boston Int, 293° Inbnd, 1-minute right turns.
CAUTION: 370' stack (1.0 mile SW of airport), 505' building (1.7 miles W of airport), 845' building and antenna, 3.1 miles W of airport, 1349' antennae, 10.5 miles W of airport.
*Departures from Runway 27, make left turn to heading 260° as soon as practicable after takeoff.
#No circling W of airport authorized from centerline extended Runway 4L to centerline extended Runway 15 when ceiling is less than 800'.
**Reduction not authorized.
MSA within 25 miles of facility: 000°-180°—2000'; 180°-360°—2500'.

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Fac. Class., LMM; Ident., OS; Procedure No. NDB (ADF) Runway 22L, Amdt. 7; Eff. date, 27 May 67; Sup. Amdt. No. ADF 2, Amdt. 6; Dated, 6 Aug. 66

DAL VORTAC	LOM	Direct	2000	T-dn	300-1	300-1	200-½
GSW VORTAC	LOM	Direct	2000	C-dn	900-1	900-1	900-1½
ADS VOR	LOM	Direct	2000	S-dn-31L	900-1	900-1	900-1
Forney Int	LOM	Direct	2000	A-dn	900-2	900-2	900-2
Desoto Int	LOM	Direct	2700				

Radar available.
Procedure turn S side of crs, 128° Outbnd, 308° Inbnd, 2000' within 10 miles.
Minimum altitude over LOM on final approach crs, 2000'.
Crs and distance, facility to airport, 308°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles of LOM, climb to 2200' on bearing 308° within 15 miles.
MSA within 25 miles of LOM: 000°-180°—2200'; 180°-270°—3400'; 270°-360°—2300'.

City, Dallas; State, Tex.; Airport name, Love Field; Elev., 485'; Fac. Class., LOM; Ident., LV; Procedure No. NBD (ADF) Runway 31L, Amdt. Orig.; Eff. date, 27 May 67

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Hartford VORTAC	Hartford RBn (final)	Direct	1200	T-dn	300-1	300-1	300-1
				C-dn	500-1	500-1	500-1½
				A-dn	NA	NA	NA

Radar available.
Procedure turn E side of crs, 195° Outbnd, 015° Inbnd, 2400' within 10 miles.
Minimum altitude over facility on final approach crs, 1200'.
Crs and distance, facility to airport, 009°—1.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 miles after passing HFD RBn, make right-climbing turn to 2400' direct HFD RBn. Hold S of HFD RBn, 015° Inbnd, 1-minute right turns.
NOTE: Approach from a holding pattern not authorized. Procedure turn required.
CAUTION: 580' building, 2 miles NW of airport.
MSA within 25 miles of facility: 000°-090°—2300'; 090°-180°—2100'; 180°-270°—2300'; 270°-360°—2700'.

City, East Hartford; State, Conn.; Airport name, Rentschler Field; Elev., 45'; Fac. Class., MHW; Ident., HFD; Procedure No. NDB (ADF) Runway 36, Amdt. 1; Eff. date 27 May 67; Sup. Amdt. No. ADF 1, Orig.; Dated, 28 Sept. 63

MAF VOR	LOM	Direct	4600	T-dn	300-1	300-1	*200-½
Goldsmith Int	LOM (final)	Direct	4600	C-dn	400-1	500-1	500-1½
Penwell Int	LOM	Direct	5000	S-dn-10	400-1	400-1	400-1
Mustang Int	LOM	Direct	5000	A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 283° Outbnd, 103° Inbnd, 4600' within 10 miles.
Minimum altitude over facility on final approach crs, 4600'.
Crs and distance, facility to airport, 103°—6.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.1 miles after passing LOM, climb to 4500' on bearing 103° from LOM within 20 miles.
*300-1 required for takeoffs on Runways 16L and 34R.
MSA within 25 miles of facility: 270°-090°—5100'; 090°-180°—4400'; 180°-270°—5500'.

City, Midland; State, Tex.; Airport name, Midland-Odessa Regional; Elev., 2867'; Fac. Class., LOM; Ident., MA; Procedure No. NDB (ADF) Runway 10, Amdt. 1; Eff. date, 27 May 67; Sup. Amdt. No. ADF 1, Orig.; Dated, 18 Aug. 62

Providence VOR	Westport Int	Direct	2000	T-dn	300-1	300-1	200-½
Westport Int	EW LOM (final)	Direct	1400	C-dn*	500-1	500-1	500-1½
Coastal Int	EW LOM	Direct	1500	S-dn-5*	500-1	500-1	500-1
				A-dn*	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 233° Outbnd, 053° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 1400'.
Crs and distance, facility to airport, 053°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing EW LOM, make left-climbing turn to 1500', Return to the EW LOM. Hold SW, 053° Inbnd, 1-minute right turns.
NOTE: Use Providence altimeter setting when control zone not effective.
*When control zone not effective alternate minimums not authorized, ceiling minimum of 600' required. Facility must be monitored aurally during hours control zone not effective.
MSA within 25 miles of facility: 000°-180°—1500'; 180°-360°—2200'.

City, New Bedford; State, Mass.; Airport name, New Bedford Municipal; Elev., 79'; Fac. Class., LOM; Ident., EW; Procedure No. NDB (ADF) Runway 5, Amdt. 2; Eff. date, 27 May 67; Sup. Amdt. No. NDB (ADF) Runway 5, Amdt. 1; Dated, 18 Feb. 67

Rochelle Int	LOM (final)	Direct	2000	T-dn	300-1	300-1	200-½
FLI VOR	LOM	Direct	2500	C-dn	400-1	500-1	500-1½
RFD VOR	LOM	Direct	2000	S-dn-36	400-1	400-1	400-1
Belvedere Int	LOM	Direct	2500	A-dn	800-2	800-2	800-2
JVL VOR	LOM	Direct	*2500				
Malta Int	LOM	Direct	2500				
Creston Int	Final approach crs	Via R 150° RFD VOR.	2000				

Procedure turn W side of crs, 182° Outbnd, 002° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'.
Crs and distance, facility to airport, 002°—4.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, make left-climbing turn to 2500' and proceed direct to RFD VOR, or when directed by ATC, make left-climbing turn to 2000' direct to LOM.
*2000' after passing RFD VOR R 090°.
MSA within 25 miles of facility: 000°-090°—2300'; 090°-180°—2500'; 180°-270°—2300'; 270°-360°—2600'.

City, Rockford; State, Ill.; Airport name, Greater Rockford; Elev., 735'; Fac. Class., LOM; Ident., RF; Procedure No. NDB (ADF) Runway 36, Amdt. 8; Eff. date, 27 May 67; Sup. Amdt. No ADF 1, Amdt. 7; Dated, 20 Mar. 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
GEG VOR	GE LOM	Direct	4900	T-dn%	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-21	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 025° Outbnd, 205° Inbnd, 4800' within 10 miles.
Minimum altitude over facility on final approach crs, 3500'.
Crs and distance, facility to airport, 205°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing GE LOM, climb direct GEG VOR, continue climb on R 207° to 4000' within 10 miles of GEG VOR, or when directed by ATC, turn right, climb direct to GE LOM, thence continue climb to 4800' in holding pattern NE of GE LOM.
%Takeoffs all runways: Climb direct GEG VOR, thence continue climb on R 207° GEG VOR within 10 miles so as to cross GEG VOR at or above: Eastbound, V-2, 4200'; northeastbound, V-2N, 3900'; southeastbound, V2S, 4700'.
MSA within 25 miles of facility: 000°-090°—7100'; 090°-180°—6300'; 180°-270°—4100'; 270°-360°—5100'.

City, Spokane; State, Wash.; Airport name, Spokane International; Elev., 2372'; Fac. Class., LOM; Ident., GE; Procedure No. NDB (ADF) Runway 21, Amdt. 8; Eff. date, 27 May 67; Sup. Amdt. No. ADF 1, Amdt. 7; Dated, 5 Feb. 66

TLH Temp. RBn	TL RBn (OM)	Direct	1800	T-dn	300-1	300-1	200-½
Havana Int	TL RBn (OM)	Direct	1800	C-dn	400-1	500-1	500-1½
Helen Int	TL RBn (OM)	Direct	1900	S-dn-36	400-1	400-1	400-1
Creek Int	TL RBn (OM)	Direct	1800	A-dn	800-2	800-2	800-2
Teresa Int	Ivan Int	Direct	1800				
Ivan Int	TL RBn (OM) (final)	Direct	1200				
Blountstown Int	TL RBn (OM)	Direct	1900				
St. Marks Int	TL RBn (OM)	Direct	1800				
Cody Int	TL RBn (OM)	Direct	1800				
GEF VOR	TL RBn (OM)	Direct	1800				

Procedure turn E side of crs, 178° Outbnd, 358° Inbnd, 1300' within 10 miles.
Minimum altitude over facility on final approach crs, 1200'.
Crs and distance, facility to airport, 358°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing LOM, climb straight ahead to 1800' on a crs of 358° from LOM within 15 miles, or turn right, climbing to 1800' and proceed on crs of 063° to TLH Temp. RBn.
MSA within 25 miles of facility: 000°-090°—2300'; 090°-180°—1400'; 180°-270°—1900'; 270°-360°—1900'.

City, Tallahassee; State, Fla.; Airport name, Municipal; Elev., 82'; Fac. Class., H-SAB; Ident., TL; Procedure No. NDB (ADF) Runway 36, Amdt. 7; Eff. date, 27 May 67; Sup. Amdt. No. ADF 1, Amdt. 6; Dated, 31 Dec. 66

King Int	LOM	Direct	2500	T-dn	300-1	300-1	200-½
Pine Hall Int	LOM	Direct	2400	C-dn	500-1	500-1	500-1½
Thomas Int	LOM (final)	Direct	2200	S-dn-33	400-1	400-1	400-1
Wallburg Int	LOM (final)	Direct	2200	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 148° Outbnd, 328° Inbnd, 2400' within 10 miles.
Minimum altitude over facility on final approach crs, 2200'.
Crs and distance, facility to airport, 328°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing LOM, climb to 2500', proceed to King Int, via 328° crs from IN LOM, or when directed by ATC, turn left, climbing to 2500', proceeding to Yadkin Int via R 283° GSO VOR.
CAUTION: 3081' antenna, 16 miles NW of airport.
MSA within 25 miles of facility: 000°-090°—3600'; 090°-180°—4100'; 180°-270°—3400'; 270°-360°—5100'.

City, Winston-Salem; State, N.C.; Airport name, Smith Reynolds; Elev., 969'; Fac. Class., LOM; Ident., IN; Procedure No. NDB (ADF) Runway 33, Amdt. 11; Eff. date, 27 May 67; Sup. Amdt. No. NDB (ADF) Runway 33, Amdt. 10; Dated, 21 Jan. 67

2. By amending the following very high frequency omniran ge (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 151°, counterclockwise	R 061°	10-mile DME	3000	T-dn	300-1	300-1	200-½
R 331°, clockwise	R 061°	10-mile DME	3000	C-d	700-1	700-1	700-1½
10-mile DME, R 061°	OCR VORTAC (final)	R 061°	3000	C-n	700-2	700-2	700-2
				A-dn	NA	NA	NA
				If Harold Int received, minimums become:			
				C-dn	500-1	500-1	500-1½

Radar available.
No procedure turn authorized.
Minimum altitude over facility on final approach, 3000'; over Harold Int, 1700'.
Crs and distance, facility to airport, 241°—9.7 miles; Harold Int to airport, 241°—4.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.7 miles after passing OCR VOR, make climbing right turn to 3000' and proceed to Crabapple Int via REG VOR, R 344°.
NOTE: Pilots must cancel IFR flight plan with Atlanta APC when landing is assured or immediately upon landing while the control tower is not in operation. No weather reporting facilities available. Air Carrier use not authorized.
MSA within 25 miles of facility: 000°-360°—3100'.

City, Atlanta; State, Ga.; Airport name, DeKalb-Peachtree; Elev., 1002'; Fac. Class., BVORTAC; Ident., OCR; Procedure No. VOR-1, Amdt. 6; Eff. date, 27 May 67; Sup. Amdt. No. VOR 1, Amdt. 5; Dated, 14 Nov. 64

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn/%	500-1	500-1	500-1
				C-dn	1400-1	1400-1	1400-1½
				A-dn	1400-2	1400-2	1400-2

Descend in 1-minute right-turn holding pattern SE of BKE VOR on R 118° to 7000'.
Procedure turn N side of crs, 298° Outbnd, 118° Inbnd, 6300' within 10 miles.
Minimum altitude over facility on final approach crs, 4800'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of BKE VOR, make immediate right turn, climb to 7000' on R 360°, BKE VOR within 15 miles. All maneuvering N side of R 360°.
CAUTION: High terrain all quadrants.
%Takeoffs all runways: Climb visually over the airport to 3900', climb on R 297°, BKE VOR within 10 miles to cross BKE VOR at or above: Southeastbound, V4, V48, 7000'; westbound, V182, 10,200'; northwestbound, V4, 7000'. All maneuvering N side R 297°, BKE VOR.
MSA within 25 miles of facility: 000°-090°—10,000'; 090°-180°—8200'; 180°-270°—10,200'; 270°-360°—10,000'.

City, Baker; State, Oreg.; Airport name, Baker Municipal; Elev., 3368'; Fac. Class., L-BVORTAC; Ident., BKE; Procedure No. VOR Runway 12, Amdt. 3; Eff. date, 27 May 67; Sup. Amdt. No. VOR-12, Amdt. 2; Dated, 14 Aug. 65

Bismarck LOM	BIS VOR	Direct	3400	T-dn/%	300-1	300-1	200-½
R 050°, BIS VOR clockwise	R 093°, BIS VOR	Via 7-mile DME Arc.	3400	C-d	500-1	500-1	500-1½
				C-n	500-1½	500-1½	500-1½
R 182°, BIS VOR counterclockwise	R 093°, BIS VOR	Via 7-mile DME Arc.	3400	A-dn	800-2	800-2	800-2
7-mile DME Fix, R 093°	BIS VOR (final)	Direct	2700				

Procedure turn N side of crs, 093° Outbnd, 273° Inbnd, 3400' within 10 miles.
Minimum altitude over facility on final approach crs, 2700'.
Crs and distance, facility to airport, 273°—3.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing BIS VOR, climb to 4000' on R 353°, BIS VOR within 10 miles.
Final approach from holding pattern at VOR not authorized, procedure turn required.
%When weather is below 1800-2 and aircraft is departing southwestbound, flight below 3900' beyond 5 miles from airport is prohibited between radials 175° and 230°, inclusive of the BIS VOR due to 3373' tower, 10 miles SSW of airport.
MSA within 25 miles of facility: 270°-090°—3400'; 090°-270°—4400'.

City, Bismarck; State, N. Dak.; Airport name, Bismarck Municipal; Elev., 1677'; Fac. Class., L-BVORTAC; Ident., BIS; Procedure No. VOR-1, Amdt. 10; Eff. date, 27 May 67; Sup. Amdt. No. VOR 1, Amdt. 9; Dated, 29 Oct. 66

R 187°, clockwise	R 277°	10-mile DME Orbit.	1800	T-dn	300-1	300-1	200-½
				C-d	600-1	600-1	600-1½
R 067°, counterclockwise	R 277°	10-mile DME Orbit.	1800	C-n	600-2	600-2	600-2
				A-dn*	NA	NA	NA
10-mile DME, R 277°	UBS VORTAC	Direct	1800	DME minimums:			
				C-dn	500-1	500-1	500-1½

Radar available.
Procedure turn S side of crs, 277° Outbnd, 097° Inbnd, 1800' within 10 miles.
Minimum altitude over facility on final approach crs, 1800'; at 3-mile DME Fix 800'.
Crs and distance, facility to airport, 097°—6.8 miles; 3-mile DME Fix to airport, 097°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles after passing UBS VORTAC, climb to 1800', R 097°, within 15 miles.
NOTE: (1) Weather service not available to public. (2) Use TCL altimeter setting.
*AIR CARRIER NOTE: Alternate minimums dn 800-2 authorized for air carriers only.
MSA within 25 miles of facility: 000°-360°—1900'.

City, Columbus; State, Miss.; Airport name, Columbus-Lowndes County; Elev., 187'; Fac. Class., BVORTAC; Ident., UBS; Procedure No. VOR-1, Amdt. 5; Eff. date, 27 May 67; Sup. Amdt. No. VOR 1, Amdt. 4; Dated, 5 Feb. 66

				T-dn	300-1	300-1	300-1
				C-dn	600-1	600-1	600-1¾
				A-dn	800-2	800-2	800-2
				DME minimums:			
				S-d-12	600-1	600-1	600-1

Procedure turn S side of crs, 299° Outbnd, 119° Inbnd, 2900' within 10 miles.
Minimum altitude over facility on final approach crs, 1600'.
DME: Minimum altitude over 2-mile DME Fix, R 299°, 1600'; over facility, 1300'.
Crs and distance, facility to airport, 119°—3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing CON VORTAC or over 3-mile DME Fix, R 119°, make right-climbing turn to 2900' direct CON VORTAC. Hold NW of CON VORTAC, 1-minute right turns, 119° Inbnd.
NOTE: Approach from a holding pattern not authorized, procedure turn required.
MSA within 25 miles of facility: 000°-090°—3500'; 090°-180°—3000'; 180°-270°—3500'; 270°-360°—4000'.

City, Concord; State, N.H.; Airport name, Concord Municipal; Elev., 345'; Fac. Class., L-BVORTAC; Ident., CON; Procedure No. VOR Runway 12, Amdt. 8; Eff. date, 27 May 67; Sup. Amdt. No. VOR Runway 12, Amdt. 7; Dated, 8 Apr. 67

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 200°, counterclockwise	R 120°	Via 8-mile DME Arc.	1700	T-d	300-1	300-1	NA
				C-d	600-1	600-1	NA
R 091°, clockwise	R 120°	Via 8-mile DME Arc.	1700	S-d-31	600-1	600-1	NA
				A-dn*	NA	NA	NA
8-mile Arc, R 120°	CTY VOR (final)	Via R 120°	1700				

Procedure turn N side of crs, 120° Outbnd, 300° Inbnd, 1700' within 10 miles.
Minimum altitude over facility on final approach crs, 700'.
Crs and distance, facility to airport, 300°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing CTY VORTAC, climb to 1700' on R 300° within 15 miles.
NOTE: Use Gainesville altimeter setting.
*Weather not available to the public.
MSA within 25 miles of facility: 000°-360°—1400'.

City, Cross City; State, Fla.; Airport name, Cross City; Elev., 42'; Fac. Class., L-BVORTAC; Ident., CTY; Procedure No. VOR Runway 31, Amdt. 10; Eff. date, 27 May 67; Sup. Amdt. No. VOR 1, Amdt. 9; Dated, 13 Oct. 66

HSV VOR	DCU VOR	Direct	2600	T-dn	300-1	300-1	300-1
				C-d	400-1	500-1	500-1½
				C-n	600-2	600-2	600-2
				S-dn-18#	400-1	400-1	400-1
				A-dn*	800-2	800-2	800-2

Procedure turn W side of crs, 349° Outbnd, 169° Inbnd, 2000' within 10 miles.
Minimum altitude over R 250°, HSV VOR on final approach crs, 1200'; over facility, #1000'.
Facility on airport; R 250°, HSV VOR to airport, 3.8 miles.
Crs and distance, breakoff point to approach end of Runway 18, 176°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2200' on R 175° within 10 miles.
#If R 250°, HSV VOR not received, descent below 1200' not authorized.
*Alternate minimums authorized for air carriers only. Weather service not available to the general public. Use Huntsville, Ala., altimeter setting.
MSA within 25 miles of facility: 000°-090°—3000'; 090°-180°—2600'; 180°-270°—2300'; 270°-360°—2000'.

City, Decatur; State, Ala.; Airport name, Pryor Field; Elev., 592'; Fac. Class., BVOR; Ident., DCU; Procedure No. VOR Runway 18, Amdt. 3; Eff. date, 27 May 67; Sup. Amdt. No. TerVOR-18, Amdt. 2; Dated, 14 Mar. 64

5-mile DME Fix, R 143°	Hartford VORTAC (final)	Direct	2100	T-dn	300-1	300-1	300-1
				C-dn	1000-1½	1000-1½	1000-2
				A-dn	NA	NA	NA
				VOR/DME or ADF minimums:			
				C-dn	500-1	500-1	500-1½
				S-dn-36	500-1	500-1	500-1

Radar available.
Procedure turn E side of crs, 167° Outbnd, 347° Inbnd, 2400' within 10 miles.
Minimum altitude over facility on final approach crs, 2100'; over 4-mile DME Fix, R 347° or Hopewell Int, 1045'.
Crs and distance, facility to airport, 347°—7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7 miles after passing HFD VORTAC, make right-climbing turn to 2400' direct HFD VORTAC. Hold SE of HFD VORTAC, 1-minute right turns, 323° Inbnd.
CAUTION: 580' building 2 miles NW of airport.
MSA within 25 miles of facility: 000°-090°—2300'; 090°-180°—2100'; 180°-270°—2100'; 270°-360°—2500'.

City, East Hartford; State, Conn.; Airport name, Rentschler Field; Elev., 45'; Fac. Class., L-BVORTAC; Ident., HFD; Procedure No. VOR Runway 36, Amdt. 1; Eff. date 27 May 67; Sup. Amdt. No. VOR 1, Orig.; Dated, 7 Sept. 63

15-mile DME Fix, R 080°, ITO VORTAC	5.9-mile DME Fix, R 080° ITO VORTAC.	Direct	1000	T-dn*	300-1	300-1	300-1½
				C-dn	600-1	600-1	600-1½
Hibiscus Int	Bayview Int	Direct	1500	S-dn-26#	400-1	400-1	400-1
5.9-mile DME Fix, R 080° (Bayview Int)	ITO VORTAC (final)	Direct	400	A-dn	800-2	800-2	800-2
R 323° ITO VORTAC	R 080° ITO VORTAC	Via 15-mile CW DME Arc.	1500				

Procedure turn S side of crs, 080° Outbnd, 260° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs 400'.
Crs and distance, facility to airport 259°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1 mile (1-mile DME Fix, R 259°) after passing ITO VORTAC, turn right and climb to 3000' on R 355° within 20 miles, turn right, return to VOR on R 355°, hold E on R 080°, left turns.
CAUTION: Gradually rising terrain westerly quadrants.
*400-1 required Runway 26 with right turn after takeoff.
#400-¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
MSA within 25 miles of facility: 030°-120°—1200'; 120°-210°—7000'; 210°-300°—15,800'; 300°-030°—8000'.

City, Hilo; State, Hawaii; Airport name, General Lyman Field; Elev., 37'; Fac. Class., H-BVORTAC; Ident., ITO; Procedure No. VOR Runway 26, Amdt. 1; Eff. date 27 May 67; Sup. Amdt. No. VOR/DME No. 2, Orig.; Dated, 4 Dec. 65

Huntingdon Int	AOO VOR	Direct	4100	T-dn	900-1	900-1	900-1
				C-d	900-1	900-2	900-2
				C-n	900-2	900-3	900-3
				A-dn	1500-2	1500-3	1500-3

Procedure turn W side of crs, 033° Outbnd, 213° Inbnd, 3600' within 10 miles.
Minimum altitude over facility on final approach crs, 2800'.
Crs and distance, facility to airport, 213°—1.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing the AOO VOR, climb straight ahead on the R 213° of the Altoona VOR to 3600' within 10 miles, return to AOO VOR, hold northeast, 1-minute right turns, 213° Inbnd.
AIR CARRIER NOTES: Reduction in visibility not authorized below 1 mile for 65 knots or less aircraft; not authorized below 2 miles for aircraft of more than 65 knots.
MSA within 25 miles of facility: 270°-180°—3900'; 180°-270°—4200'.

City, Martinsburg; State, Pa.; Airport name, Blair County; Elev., 1504'; Fac. Class., T-VOR; Ident., AOO; Procedure No. VOR-1, Amdt. 3; Eff. date, 27 May 67; Sup. Amdt. No. VOR 1, Amdt. 2; Dated, 10 Dec. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 225°, clockwise	R 310°	10 DME Orbit	2000	T-dn	300–1	300–1	200–½
R 045°, counterclockwise	R 310°	10 DME Orbit	2000	C-dn	500–1	600–1	600–1½
10-mile DME, R 310°	MEI VORTAC (final)	R 310°	1600	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 310° Outbnd, 130° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 1600'.
Crs and distance, facility to airport, 130°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing MEI-VORTAC turn right, climb to 2000' on R 225° MEI VORTAC within 15 miles, or when directed by ATC, turn right, climb to 2000' on R 170° MEI VORTAC within 15 miles.
CAUTION: Trees 600', 2 miles E of airport, 1000' tower, 2.5 miles E of airport, 880' tower, 4.2 miles SE of airport.
MSA within 25 miles of facility: 000°–180°—2100'; 180°–270°—1700'; 270°–360°—1600'.

City, Meridian; State, Miss.; Airport name, Key Field; Elev., 297'; Fac. Class., BVORTAC; Ident., MEI; Procedure No. VOR-1, Amdt. 7; Eff. date, 27 May 67; Sup. Amdt. No. VOR 1, Amdt. 6; Dated, 12 Mar. 66

				T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-17*	500–1	500–1	500–1
				A-dn#	800–2	800–2	800–2

Procedure turn W side of crs, 006° Outbnd, 186° Inbnd, 1800' within 10 miles.
Minimum altitude over facility on final approach crs, 800'.
Crs and distance, breakoff point to Runway 17, 176°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HEZ VOR, climb to 1800' on R 186° of HEZ VOR within 15 miles.
NOTE: Use McComb, Miss., altimeter setting.
CAUTION NOTE: Tower 450', 2 miles WSW of airport.
*Reduction below ¾ mile not authorized.
#Alternate minimums authorized for air carriers only. Weather service not available to the general public.
MSA within 25 miles of facility: 000°–360°—2000'.

City, Natchez; State, Miss.; Airport name, Hardy-Anders; Elev., 272'; Fac. Class., BVOR; Ident., HEZ; Procedure No. VOR Runway 17, Amdt. 3; Eff. date, 27 May 67; Sup. Amdt. No. TerVOR-17, Amdt. 2, Dated, 2 Oct. 65

R 126°, AYS VOR clockwise	R 296°	Via 8-mile DME arc.	2200	T-dn	300–1	300–1	200–½
				C-dn*	700–1	700–1	700–1½
R 009°, AYS VOR counterclockwise 8-mile arc, R 296°.	R 296°	Via 8-mile DME arc.	2200	A-dn*	NA	NA	NA
				DME minimums:			
	AYS VOR (final)	Via R 296°	1900	C-dn*	600–1	600–1	600–1½

Procedure turn N side of crs 296° Outbnd, 116° Inbnd, 2200' within 10 miles.
Minimum altitude over facility on final approach crs, 1900'; over Fairfax DME Fix, 842'.
Crs and distance, facility to airport, 099°—8.1 miles; Fairfax DME Fix, 099°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.1 miles after passing AYS VORTAC or 4.6 miles after passing Fairfax DME Fix, make climbing left turn to 2200', return to AYS VORTAC and hold NW.
NOTES: (1) This procedure usable only between the hours of 0600 and 2200 when Alma FSS is in operation, except scheduled air carrier with approved communication service. (2) *Circling minimums VOR and DME reduction of 100' and alternate minimums day/night 800' is authorized for air carriers only. (3) Use Alma, Ga., altimeter setting. Weather servics not available to the general public.
MSA within 25 miles of facility: 000°–360°—2300'.

City, Waycross; State, Ga.; Airport name, Waycross-Ware County; Elev., 142'; Fac. Class., L-BVORTAC; Ident., AYS; Procedure No. VOR-1, Amdt. 1; Eff. date, 27 May 67; Sup. Amdt. No. VOR-1, Orig.; Dated, 28 Jan. 67

3. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
10-mile DME Fix, R 118°	BKE VOR	Direct	7200	T-dn%	500–1	500–1	500–1
10-mile DME Fix, R 133°	BKE VOR	Direct	7200	C-dn	500–1	500–1	500–1½
20-mile DME Fix, R 275°	20-mile DME Fix, R 298°	20-mile Arc CW	10,000	S-dn-12	400–1	400–1	400–1
20-mile DME Fix, R 325°	20-mile DME Fix, R 298°	20-mile Arc CCW	9000	A-dn	1000–2	1000–2	1000–2
20-mile DME Fix, R 298°	15-mile DME Fix, R 298°	Direct	8000				
15-mile DME Fix, R 298°	11-mile DME Fix, R 298°	Direct	6500				
11-mile DME Fix, R 298°	6-mile DME Fix, R 298°	Direct	5000				
6-mile DME Fix, R 298°	3-mile DME Fix, R 298°	Direct	4600				
3-mile DME Fix, R 298°	0-mile DME Fix, R 298°	Direct	3800				

Procedure turn N side of crs, 298° Outbnd, 118° Inbnd, 6500' within 11 miles.
Minimum altitude over 15-mile DME Fix on final approach crs, 8000'; over 11-mile DME Fix, 6500'; over 6-mile DME Fix, 5000'; over 3-mile DME Fix, 4600'; over facility, 3800'.
Final approach crs 450' left of runway centerline at 3000' from approach end of runway. Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of BKE VOR, make immediate right turn, climb to 7000' on R 300° BKE VOR within 15 miles. All maneuvering N side of R 300°.
CAUTION: High terrain all quadrants.
%Takeoffs all runways: Climb visually over the airport to 3900', climb on R 297°, BKE VOR within 10 miles to cross BKE VOR at or above: Southeastbound, V4, V48, 7000'; westbound, V182, 10,200'; northwestbound ,V4, 7000'. All maneuvering N side R 297°, BKE VOR.
MSA within 25 miles of facility: 000°–090°—10,600'; 090°–180°—8200'; 180°–270°—10,200'; 270°–360°—10,000'.

City, Baker; State, Oreg.; Airport name, Baker Municipal; Elev., 3368'; Fac. Class., L-BVORTAC; Ident., BKE; Procedure No. VOR/DME Runway 12, Amdt. 3; Eff. date, 27 May 67; Sup. Amdt. No. VOR/DME 1, Amdt. 2; Dated, 14 Aug. 65

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
GNI VORTAC	17-mile DME Fix, R 044°	044°—17 miles	1500	T-d	300–1	300–1	300–1
27-mile DME Fix, R 044°	17-mile DME Fix, R 044° (final)	224°—5 miles	1000	C-d*	500–1	500–1	500–1½
				A	NA	NA	NA
				The following minimums authorized if Grand Isle altimeter setting is used:			
				C-d	400–1	500–1	500–1½

Procedure turn N side of crs, 044° Outbnd, 224° Inbnd, 1500' within 10 miles of 17-mile DME Fix.
Minimum altitude over FAF (17-mile DME Fix) on final approach crs, 1000'.
Crs and distance, FAF to airport, 224°—5 miles; breakoff point 12-mile DME Fix.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished upon reaching 12-mile DME Fix, R 044°, climb to 1500' on crs 224° to GNI VORTAC.
NOTES: (1) No weather service available. (2) Seaplanks only (no runways available).
CAUTION: 324' radio tower located on NE end of Grand Isle.
*Use New Orleans altimeter setting if Grand Isle altimeter setting is not available.
MSA within 25 miles of facility: 000°–360°—1400'.

City, Grand Isle; State, La.; Airport name, Grand Isle Seaplane Base; Elev., 0'; Fac. Class., H-BVORTAC; Ident., GNI; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 27 May 67

10-mile DME Fix ITO VORTAC, R 323°	7-mile DME Fix ITO VORTAC, R 323°	Direct	2500	T-dn*	300–1	300–1	300–1½
7-mile DME Fix, R 323°	1-mile DME Fix, R 323° (final)	Direct	600	C-dn	600–1	600–1	600–1½
				A-dn	800–2	800–2	800–2

Procedure turn not authorized.
Straight-in to facility from 10-mile DME Fix, R 323° only.
Minimum altitude over 7-mile DME Fix, 2500'; over 1-mile DME Fix, R 323°, 600', on final approach crs.
Crs and distance, facility to airport, 239°—1 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1-mile DME Fix, R 323°, turn left and climb to 3000' on R 355° within 20 miles, turn right, return to VOR on R 355°, hold E on R 080°, left turns.
NOTE: DME required for execution of this approach.
CAUTION: Gradually rising terrain westerly quadrants.
*400–1 required Runway 26 with right turn after takeoff.
MSA within 25 miles of facility: 030°–120°—1200'; 120°–210°—7000'; 210°–300°—15,800'; 300°–030°—8000'.

City, Hilo; State, Hawaii; Airport name, General Lyman Field; Elev., 37'; Fac. Class., H-BVORTAC; Ident., ITO; Procedure No. VOR/DME-1, Amdt. 1; Eff. date, 27 May 67; Sup. Amdt. No. VOR/DME No. 1, Orig.; Dated, 4 Dec. 65

8-mile DME Fix, R 241°, counterclockwise	8-mile DME Fix, R 207°	Via 8-mile DME Arc.	4600	T-dn%	300–1	300–1	300–1½
				C-dn	500–1	500–1	500–1½
20-mile DME Fix, R 073°	8-mile DME Fix, R 073°	Direct	6500	S-dn-3#	400–1	400–1	400–1
8-mile DME Fix, R 073°, clockwise	8-mile DME Fix, R 207°	Via 8-mile DME Arc.	4500	A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 207° Outbnd, 027° Inbnd, 4000' within 10 miles.
Minimum altitude over facility on final approach crs, 3700'; over 2.5-mile DME Fix, R 027°, 2900'.
Crs and distance, facility to airport, 027°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing GEG VOR, climb on R 026° to GE LOM, thence continue climb to 4800' in holding pattern on R 026° NE of GE LOM, or when directed by ATC, turn left, climb direct GEG VOR, continue climb on R 207°, GEG VOR to 4000'.
#400–1¼ authorized with operative HIRL's except for 4-engine turbojets.
%Takeoffs all runways; Climb direct GEG VOR, thence continue climb on R 207°, GEG VOR within 10 miles so as to cross GEG VOR at or above: Eastbound, V-2, 4200'; northeastbound V-2N, 3600'; southeastbound V-2S, 4700'.
MSA within 25 miles of facility: 000°–090°—6300'; 090°–180°—5100'; 180°–270°—4100'; 270°–360°—5100'.

City, Spokane; State, Wash.; Airport name, Spokane International; Elev., 2372'; Fac. Class., H-BVORTAC; Ident., GEG; Procedure No. VOR/DME Runway 3, Amdt. 6; Eff. date, 27 May 67; Sup. Amdt. No. VOR/DME 1, Amdt. 5; Dated, 27 May 65

4. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bismarck VOR	LOM	Direct	3300	T-dn%	300-1	300-1	200-½
10-mile DME Fix, R 140°	LOM (final)	Direct	3300	C-d	500-1	500-1	500-1½
Lincoln Int	LOM	Direct	3300	C-n	500-1½	500-1½	500-1½
Bell Int	LOM	Direct	3300	S-dn-30#	200-½	200-½	200-½
R 050°, BIS VOR clockwise	R 140°, BIS VOR	Via 10-mile DME Arc.	3300	A-dn	600-2	600-2	600-2

Procedure turn E side of crs, 126° Outbnd, 306° Inbnd, 3300′ within 10 miles.
Minimum altitude at glide slope interception inbnd, 3300′.
Altitude of glide slope and distance to approach end of runway at OM 3260′—5.8 miles; at MM 1830′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing LOM, climb to 3800′ on 286° bearing from BI LOM within 10 miles, or when directed by ATC, make right-climbing turn to 3800′ on R 336°, BIS VOR within 10 miles.
%When weather is below 1800-2 and aircraft is departing southwestbound, flight below 3000′ beyond 5 miles from airport is prohibited between radials 175° and 230°, inclusive of the BIS VOR due to 3373′ tower, 10 miles SSW of airport.
#300-¾ required when glide slope not utilized. 300-½ authorized with operative ALS except for 4-engine turbojet.
MSA within 25 miles of LOM: 270°-090°—3400′; 090°-180°—3300′; 180°-270°—4400′.

City, Bismarck; State, N. Dak.; Airport name, Bismarck Municipal; Elev., 1677′; Fac. Class., ILS; Ident., I-BIS; Procedure No. ILS Runway 30, Amdt. 20; Eff. date, 27 May 67; Sup. Amdt. No. ILS-30, Amdt. 19; Dated, 20 Aug. 66

DAL VORTAC	LOM	Direct	2000	T-dn#	300-1	300-1	200-½
GSW VORTAC	LOM	Direct	2000	C-dn	600-1	600-1	600-1½
ADS VOR	LOM	Direct	2000	S-dn-31L	300-¾	300-¾	300-¾
Forney Int	LOM	Direct	2000	A-dn	600-2	600-2	600-2
Decolo Int	LOM	Direct	2700	Minimums without glide slope:			
				C-dn	900-1	900-1	900-1½
				S-dn-31L	900-1	900-1	900-1

Radar available.
Procedure turn S side of crs, 128° Outbnd, 308° Inbnd, 2000′ within 10 miles.
Minimum altitude over OM on final approach crs, 2000′.
Crs and distance, facility to airport, 308°—4.9 miles.
Minimum altitude at glide slope interception inbnd, 2000′.
Altitude of glide slope and distance to approach end of runway at OM, 2000′—4.9 miles; at MM, 687′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2200′ on crs 308° within 20 miles.
#RVR 2400′ authorized Runway 13L.
MSA within 25 miles of LOM: 000°-180°—2200′; 180°-270°—3400′; 270°-360°—2300′.

City, Dallas; State, Tex.; Airport name, Love Field; Elev., 485′; Fac. Class., ILS; Ident., I-LVF; Procedure No. ILS Runway 31L, Amdt. Orig.; Eff. date, 27 May 67

Walnut Int	Bassett Int	Direct	3500	T-dn%	300-1	300-1	200-½
Bassett Int	Downey FM/NDB/Int	Direct	3500	C-dn	500-1	600-1	600-1½
Downey FM/NDB/Int	LOM (final)	Direct	1800	S-dn-25R*	200-½	200-½	200-½
La Habra Int	Downey FM/NDB/Int	Direct	3500	A-dn	600-2	600-2	600-2
LGB VOR	Downey FM/NDB/Int	Direct	3000				
LAX VOR	LOM	Direct	3000				
Tower Int	LOM	Direct	4000				

Radar available.
Procedure turn S side of crs, 068° Outbnd, 248° Inbnd, 3000′ within 10 miles of LOM.
Minimum altitude at glide slope intercept inbnd, 2000′ (aircraft will maintain 3000′ until intercepting glide slope unless otherwise advised by ATC).
Altitude of glide slope and distance to approach end of runway at LOM, 1883′—5.4 miles; at LMM, 323′—0.5 miles (LOM and LMM located 750′ to left of runway centerline).
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2000′ on W crs LAX ILS within 15 miles of LOM.
NOTE: If glide slope not received, minimums shall be 500-¾ (500-½ RVR 2400′ authorized, with operative ALS, except for 4-engine turbojets).
%Northbound (280° clockwise 060°) IFR departures: Unless otherwise directed by ATC, published SID's must be used.
†RVR 2400′ authorized Runways 25L/R and 7L/R.
*RVR 2400′. Descent below 326′ not authorized unless approach lights are visible.

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126′; Fac. Class., ILS; Ident., I-LAX; Procedure No. ILS Runway 25R, Amdt. 6; Eff. date, 27 May 67; Sup. Amdt. No. ILS-25R, Amdt. 5; Dated, 16 Oct. 65

MAF VORTAC	LOM	Direct	4600	T-dn	300-1	300-1	*200-½
Goldsmith Int	LOM (final)	Direct	4600	C-dn	400-1	500-1	500-1½
Penwell Int	LOM	Direct	5000	S-dn-10#	200-½	200-½	200-½
Mustang Int	LOM	Direct	5000	A-dn	600-2	600-2	600-2
INK VORTAC R 065°	MAF ILS (FC)	Direct	5500				
INT INK, R 065° and MAF ILS (FC)	LOM (final)	Direct	4600				

Procedure turn W side of crs, 283° Outbnd, 103° Inbnd, 4600′ within 10 miles.
Minimum altitude at glide slope interception inbnd, 4600′.
Minimum altitude over LOM on final approach crs, 4533′.
Crs and distance, facility to airport, 103°—6.1 miles.
Altitude of glide slope and distance to approach end of runway at OM, 4533′—6.1 miles; at MM, 3055′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 4500′ on E crs ILS (103°) within 20 miles or turn right, climb to 4500′ on MAF VORTAC, R 150° within 20 miles.
*300-1 required Runways 16L and 34R.
#300-½ authorized when glide slope not utilized and with operative ALS except for 4-engine turbojets.
MSA within 25 miles of LOM: 270°-090°—5100′; 090°-180°—4400′; 180°-270°—5500′.

City, Midland; State, Tex.; Airport name, Midland-Odessa Regional; Elev., 2867′; Fac. Class., ILS; Ident., I-MAF; Procedure No. ILS Runway 10, Amdt. 2; Eff. date, 27 May 67; Sup. Amdt. No. ILS-10, Amdt. 1; Dated, 22 Dec. 62

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Rochelle Int	LOM (final)	Direct	2000	T-dn**	300–1	300–1	200–½
PLL VOR	LOM	Direct	2500	C-dn	400–1	500–1	500–1½
RFD VOR	LOM	Direct	2000	S-dn-36$	200–½	200–½	200–½
Belvedere Int	LOM	Direct	2500	A-dn	600–2	600–2	600–2
JVL VOR	LOM	Direct	*2500				
Malta Int	LOM	Direct	2500				
Creston Int	South crs ILS (final)	Via R 150°, RFD VOR.	2000				
RFD VOR, R 240°, counterclockwise	RFD VOR, R 158°	Via 15-mile DME Arc.	2000				
15-mile DME Fix RFD VOR, R 158°	LOM (final)	Direct	2000				

Procedure turn W side of crs, 182° Outbnd, 002° Inbnd, 2000' within 10 miles.
Minimum altitude at glide slope interception inbnd, 2000'.
Altitude at glide slope and distance to approach end of runway at LOM, 1966'—4.5 miles; at MM, 923'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, make left-climbing turn to 2500', proceed direct to RFD VOR, or when directed by ATC, (1) climb to 2500' on N crs of ILS within 10 miles, (2) make left-climbing turn to 2000' direct to LOM.
¢300–¾ required when glide slope not utilized, and 300–½ authorized with operative ALS except for 4-engine turbojets.
*2000' after passing RFD VOR, R 090°.
**RVR 2400' authorized Runway 36.
$RVR 2400'. Descent below 935' not authorized unless approach lights are visible.
MSA within 25 miles of facility: 000°–090°—2300'; 090°–180°—2500'; 180°270—2300'; 270°–360°—2600'.

City, Rockford; State, Ill.; Airport name, Greater Rockford; Elev., 735'; Fac. Class., ILS; Ident., I–RFD; Procedure No. ILS Runway 36, Amdt. 8; Eff. date, 27 May 67; Sup. Amdt. No. ILS–36, Amdt. 7; Dated, 12 Nov. 66

GEG VOR	Willow Lake VHF Int	Direct	4800	T-dn% C-dn S-dn-3# A-dn	300–1 500–1 400–1 800–2	300–1 500–1 400–1 800–2	200–½ 500–1½ 400–1 800–2

Radar available.
Procedure turn E side of crs, 205° Outbnd, 025° Inbnd, 4000' within 10 miles of Willow Lake Int.
Minimum altitude over Willow Lake Int on final approach crs, 3700'.
Crs and distance, Willow Lake Int to airport, 025°—4.5 miles.
No glide slope. Back crs.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing Willow Lake Int, climb direct GE LOM, thence continue climb to 4800' in holding pattern NE of GE LOM, on NE crs of localizer or when directed by ATC, turn left, climb direct GEG VOR, continue climb on R 207° GEG VOR to 4000' within 10 miles.
NOTES: (1) Dual VHF receivers required for this approach. (2) When authorized by ATC, DME may be used between 7 and 8 miles and between R 073° and R 241° clockwise of GEG VOR at 4000' to position aircraft for straight-in approach with elimination of procedure turn.
#400–¾ authorized with operative HIRL's, except for 4-engine turbojets.
%Takeoffs all runways: Climb direct GEG VOR, thence continue climb on R 207°, GEG VOR within 10 miles so as to cross GEG VOR at or above: Eastbound, V–2 4200'; northeastbound, V–2N, 3900'; southeastbound, V–2S, 4700'.

City, Spokane; State, Wash.; Airport name, Spokane International; Elev., 2372'; Fac. Class., ILS; Ident., I–GEG; Procedure No. LOC (BC) Runway 3, Amdt. 4; Eff. date, 27 May 67; Sup. Amdt. No. ILS–3 (back crs), Amdt. 3; Dated, 20 Feb. 65

20-mile DME Fix, R 073°, GEG VOR	GE LOM	Direct	6500	T-dn* % C-dn S-dn-21** A-dn	300–1 500–1 200–½ 600–2	300–1 500–1 200–½ 600–2	200–½ 500–1½ 200–½ 600–2
GEG VOR	GE LOM	Direct	4900				

Radar available.
Procedure turn W side of NE crs, 025° Outbnd, 205° Inbnd, 4800' within 10 miles.
Minimum altitude at glide slope interception inbnd, 4300'.
Altitude of glide slope and distance to approach end of runway at LOM, 3544'—3.9 miles; at LMM, 2560'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb straight ahead to the GEG VOR and climb to 4000' on R 207° within 10 miles of GEG VOR, or when directed by ATC, turn right, climb direct to GE LOM, thence continue climb to 4800' in holding pattern NE of GE LOM on the localizer crs.
NOTE: Glide slope unusable below 2530'.
*RVR 2400' authorized Runway 21.
**RVR 2400'. Descent below 2572' not authorized unless approach lights are visible.
%Takeoffs all runways: Climb direct GEG VOR, thence continue climb on R 207°, GEG VOR within 10 miles so as to cross GEG VOR at or above: Eastbound, V–2, 4200'; northeastbound, V–2N, 3900'; southeastbound, V–2S, 4700'.
MSA within 25 miles of facility: 000°–090°—7100'; 090°–180°—6300'; 180°–270°—4100'; 270°–360°—5100'.

City, Spokane; State, Wash.; Airport name, Spokane International; Elev., 2372'; Fac. Class., ILS; Ident., I–GEG; Procedure No. ILS Runway 21, Amdt. 10; Eff. date, 27 May 67; Sup. Amdt. No. ILS–21, Amdt. 9; Dated, 27 May 65

TLH Temp. RBn	TL RBn (OM)	Direct	1800	T-dn	300–1	300–1	200–½
Havana Int	TL RBn (OM)	Direct	1800	C-dn	400–1	500–1	500–1½
GEF VOR	TL RBn (OM)	Direct	1800	S-dn-36#	200–½	200–½	200–½
Creek Int	TL RBn (OM)	Direct	1800	A-dn	600–2	600–2	600–2
Helen Int	TL RBn (OM)	Direct	1900				
Teresa Int	Ivan Int	Direct	1800				
Ivan Int	TL RBn (OM) (final)	Direct	1200				
Blountstown Int	TL RBn (OM)	Direct	1900				
St. Marks Int	TL RBn (OM)	Direct	1800				
Cody Int	TL RBn (OM)	Direct	1800				

Procedure turn E side of crs, 178° Outbnd, 358° Inbnd, 1300' within 10 miles.
Crs and distance, facility to airport, 358°—4.1 miles.
Minimum altitude at glide slope interception inbnd, 1200'.
Altitude of glide slope and distance to approach end of runway at OM, 1200'—4.1 miles; at MM, 255'–0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing LOM, climb to 1800' on N crs of ILS and proceed to Havana Int, or right turn, climbing to 1800' and proceed on crs of 063° to TLH Temp. RBn.
NOTE: Glide slope unusable below 160'.
#400–¾ required when glide slope inoperative. 400–½ authorized, with operative ALS, except for 4-engine turbojets.

City, Tallahassee; State, Fla.; Airport name, Municipal; Elev., 82'; Fac. Class., ILS; Ident., I–TLH; Procedure No. ILS Runway 36, Amdt. 8; Eff. date, 27 May 67; Sup. Amdt. No. ILS–36, Amdt. 7; Dated, 31 Dec. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
King Int	LOM	Direct	2500	T-dn	300-1	300-1	200-½
Pine Hall Int	LOM	Direct	2400	C-dn	500-1	500-1	500-1½
Thomas Int	LOM (final)	Direct	2200	S-dn-33%	300-¾	300-¾	300-¾
Wallburg Int	LOM (final)	Direct	2200	A-dn	600-2	600-2	600-2

Radar available.
Procedure turn W side of crs, 148° Outbnd, 328° Inbnd, 2400' within 10 miles.
Minimum altitude at glide slope intercept inbnd, 2200'.
Altitude of glide slope and distance to approach end of runway at OM, 2200'—3.9 miles; at MM, 1129'—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing LOM, climb to 2500', proceed to King Int via 328° crs from IN LOM, or when directed by ATC, turn left, climbing to 2500', proceed to Yadkin Int via R 283°, GSO VOR.
NOTE: Glide slope unusable below 1099'.
CAUTION: 3081' antenna, 16 miles NW of airport.
%400-¾ required when glide slope not utilized. Localizer back crs unusable.

City, Winston-Salem; State, N.C.; Airport name, Smith Reynolds; Elev., 969'; Fac. Class., ILS; Ident., I-INT; Procedure No. ILS Runway 33, Amdt. 11; Eff. date, 27 May 67; Sup. Amdt. No. ILS-33, Amdt. 10; Dated, 21 Jan. 67

5. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				Surveillance approach			
				T-dn%	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished (all runways), climb direct GEG VOR, thence continue climb to 4000' on R 207°, GEG VOR within 10 miles of GEG VOR, or when directed by ATC, climb direct GE LOM, thence continue climb to 4800' in holding pattern NE of GE LOM.
%Takeoffs all runways: Climb direct GEG VOR, thence continue climb on R 207° GEG VOR within 10 miles so as to cross GEG VOR at or above: Eastbound, V-4 4200'; northeastbound, V-2N, 3500'; southeastbound, V-28, 4700'.

City, Spokane; State, Wash; Airport name, Spokane International; Elev., 2372'; Fac. Class. and Ident., Fairchild RAPCON; Procedure No. 1, Amdt. 5; Eff. date, 27 May 67; Sup. Amdt. No. 1, Amdt. 4; Dated, 20 Feb. 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on April 20, 1967.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 67-4707; Filed, May 4, 1967; 8:45 a.m.]

[Docket No. 8131; Amdts. 151-18, 153-2]

PART 151—FEDERAL AID TO AIRPORTS

PART 153—ACQUISITION OF U.S. LAND FOR PUBLIC AIRPORTS

Exclusive Rights at Airports

The purpose of these amendments is to clarify the policy of the FAA relating to exclusive rights at airports, as set forth in Parts 151 and 153 of the Federal Aviation Regulations.

The intent of the exclusive rights policy is to prohibit the granting, and to require the termination, of any exclusive right that is contrary to section 308(a) of the Federal Aviation Act (49 U.S.C. 1349(a)) and the Exclusive Rights Policy of October 25, 1965 (30 F.R. 13661), at any airport now or hereafter owned or controlled by a sponsor receiving aid under the Federal-aid Airport Program.

A question has been raised as to whether the term "subsequently acquired" in the covenant in § 151.121 implies ownership so that the covenant would not apply to airports the sponsor may in the future control but not actually own. In addition, § 151.121 does not now specifically reflect the policy's prohibition against exclusive rights at airports presently owned or controlled by the sponsor, other than the one for which aid is requested. Therefore, the covenant contained in § 151.121 is being amended to correctly reflect the current exclusive rights policy.

Section 153.13(a) (3) and (4) currently contains a covenant prohibiting exclusive rights only at the airport receiving the property interest in the land and § 153.13(c) exempts from its effect exclusive rights permissible under section 13(g) of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1622 (g)) at airports that had earlier received a grant under that provision. In order to make Part 153 correctly reflect the current exclusive rights policy, § 153.13(a) (3) is also being amended and § 153.13 (c) is deleted.

Since these amendments relate to public grants and benefits, notice and public procedure thereon are not required and the amendments may be made effective upon publication.

(Secs. 308, 313, Federal Aviation Act of 1958 (49 U.S.C. 1349, 1354); Federal Airport Act (49 U.S.C. 1101–1119))

In consideration of the foregoing, Parts 151 and 153 are amended, effective May 5, 1967, as follows:

1. The covenant in § 151.121 of the Federal Aviation Regulations (14 CFR 151.121) is amended to read as follows:

§ 151.121 Procedures: offer; sponsor assurances.

* * * * *

The sponsor will not grant or permit any exclusive right forbidden by section 308(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1349) at the airport, or at any other airport now or hereafter owned or controlled by it. In furtherance of the policy of the FAA under this covenant the sponsor agrees that, unless authorized by the Administrator, it will not, either directly or indirectly, grant or permit any person, firm, or corporation the exclusive right at the airport, or at any other airport now or hereafter owned or controlled by it, to conduct any aeronautical activities, including, but not limited to, charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity. The sponsor further agrees that it will terminate any such exclusive right (including any exclusive right to engage in the sale of gasoline or oil, or both) now existing at the airport, or at any other airport now or hereafter owned or controlled by it, at the earliest renewal, cancellation, or expiration date applicable to the agreement that established the exclusive right, and certifies that there is no exclusive right not subject to termination under this provision.

2. Section 153.13 (14 CFR 153.13) is amended as follows: Subparagraphs (3) and (4) of paragraph (a) are amended and paragraph (c) is deleted as follows:

§ 153.13 Covenants and reverter clauses in conveyances.

(a) * * *

(3) That the grantee will not grant or permit any exclusive right forbidden by section 308(a) of the Federal Aviation Act of 1958 at the airport, or at any other airport now or hereafter owned or controlled by it;

(4) That in furtherance of the policy of the Federal Aviation Administration under the foregoing covenant the grantee agrees that, unless authorized by the Federal Aviation Administrator, it will not, either directly or indirectly, grant or permit any person, firm, or corporation the exclusive right at the airport, or at any other airport now or hereafter owned or controlled by it, to conduct any aeronautical activities, including, but not limited to, charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity; and that the grantee further agrees that it will terminate any such exclusive right (including any exclusive right to engage in the sale of gasoline or oil, or both) now existing at the airport or at any other airport now or hereafter owned or controlled by the sponsor, at the earliest renewal, cancellation, or expiration date applicable to the agreement that established the exclusive right, and covenants that there is no exclusive right not subject to termination under this provision.

* * * * *

(c) [Deleted]

Issued in Washington, D.C., on April 28, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5035; Filed, May 4, 1967; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1194]

PART 13—PROHIBITED TRADE PRACTICES

Allan Lawrence et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections:* 13.15–247 Publication services; 13.15–255 Reputation, success, or standing. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1540 *Reputation, success or standing:* § 13.1553 *Services.*

(Sec. 6, 38, Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Allan Lawrence et al., New York, N.Y., Docket C-1194, Apr. 12, 1967]

In the Matter of Allan Lawrence, Also Known as Larry Allen, Doing Business as Crown Music Co.

Consent order requiring a New York City promoter of songwriting services to cease misrepresenting the nature of his services, the potential commercial value of the poems submitted, his connections in the music publishing field, and his own musical background and accomplishments.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That Allan Lawrence, also known as Larry Allen, an individual doing business as Crown Music Co., or under any other name or names, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of songwriting or song promotional services or any article of merchandise in connection therewith in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That respondent needs or wants poems to be used by him in producing his songs when such poems are neither needed nor wanted for such purpose; or using any advertising, sales plan or procedure involving the use of false, deceptive or misleading statements or representations to obtain leads or prospects for the sale of respondent's services or products; or failing to disclose in any advertisement soliciting the submission of poems that the purpose of such advertising is to obtain leads for the sale of respondent's song writing and song promotional services.

2. That respondent will pay for poems which are submitted and found acceptable.

3. That in accepting a poem submitted to him pursuant to his contact advertisements respondent makes a critical evaluation of it and a bona fide determination that it can be suitably combined with a melody of his own composition to produce a commercially attractive song; or misrepresenting in any manner, the professional merit or commercial potentialities of songs produced with poems submitted to him by the public.

4. That respondent is collaborating with authors of poems in producing songs as a commercial venture for their mutual profit.

5. That under the initial contract pursuant to which a song is produced by combining respondent's music with the submitted poem, respondent will promote and publicize the resultant song without additional payment for such services; or misrepresenting, in any manner, the amount, degree or extent of the promotional or publicizing efforts or other services furnished or provided under any express or implied contract or agreement.

6. That respondent has personal contacts with music publishers, recording companies or others engaged or connected with the music business in the city of New York or elsewhere, assuring the successful commercial promotion of or substantial earnings from songs composed with poems submitted by the public; or misrepresenting in any manner respondent's effectiveness in promoting songs commercially or the amount of earnings from songs promoted by respondent.

7. That respondent has produced or promoted any commercially successful songs composed with poems submitted to him by the public.

8. That respondent composed a score for a successful professional musical comedy show; or that he is currently, or has been in the recent past, actively connected with an orchestra; or that he has associations because of his musical and songwriting career which help him to successfully promote the songs composed with poems submitted by the public; or

misrepresenting in any manner respondent's accomplishments, abilities, activities, background, associations or connections in the field of music.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: April 12, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-5022; Filed, May 4, 1967; 8:45 a.m.]

[Docket No. 8722]

PART 13—PROHIBITED TRADE PRACTICES

Allied Enterprizes, Inc., and William Marion

Subpart—Misrepresenting oneself and goods—Goods: § 13.1650 *History of product;* § 13.1747 *Special or limited offers:* Misrepresenting oneself and goods—Prices: § 13.1817 *Reductions for prospect referrals.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1905 *Terms and conditions.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719; as amended; 15 U.S.C. 45) [Cease and desist order, Allied Enterprizes, Inc., et al., North Brentwood, Md., Docket 8722, Apr. 11, 1967]

Order requiring a North Brentwood, Md., distributor of home intercom and fire detection or alarm systems to cease using deceptive referral and demonstration offers to obtain customer leads, misrepresenting that his prices are reduced or special or will result in savings to customer, neglecting to disclose that promissory notes will be sold to a finance company, and falsely representing that his products are new to the market.

The order to cease and desist is as follows:

It is ordered, That respondents Allied Enterprizes, Inc., a corporation, and its officers, and William Marion, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of intercom, fire detection or alarm systems, or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Utilizing any program or plan under which the payment of money or other consideration to purchasers of respondents' products is contingent upon (1) the referral of names by such purchasers to respondents or their agents, representatives or employees and (2) the sale or demonstration of respondents' merchandise to such referrals.

2. Using any sales plan, scheme, or device wherein false, misleading or deceptive statements or representations are made for the purpose of obtaining leads or the names of prospective purchasers.

3. Representing, directly or by implication, that respondents' customers are able to obtain respondents' products at little or no cost, or will receive earnings or compensation in any amount.

4. Failing to disclose orally at the time of sale and in writing on any conditional sales contract, promissory note, or other instrument executed by the purchaser, with such conspicuousness and clarity as is likely to be read and observed by the purchaser that:

(a) Such conditional sales contract, promissory note or other instrument may, at the option of the seller and without notice to the purchaser, be negotiated or assigned to a finance company or other third party;

(b) If such negotiation or assignment is effected, the purchaser will then owe the amount due under the contract to the finance company or third party and may have to pay this amount in full whether or not he has claims against the seller under the contract for defects in the merchandise, nondelivery or the like.

5. Failing to reveal, disclose or otherwise inform customers, in a manner that is clearly understood by them, of all the terms and conditions of a sale and of any installment contract or promissory note or other instrument to be signed by any customer.

6. Representing directly or by implication that any price at which respondents' merchandise is offered for sale is a special introductory price or a reduced price.

7. Misrepresenting in any way the savings realized by purchasers of respondents' merchandise.

8. Falsely representing that any such merchandise or product is new to the market.

By "Final Order" further order requiring report of compliance is as follows:

It is further ordered, That Allied Enterprizes, Inc., a corporation, and William Marion, individually, and as an officer of said corporation, shall, within sixty (60) days after service of this order upon them, file with the Commission a report in writing, signed by each respondent named in this order, setting forth in detail the manner and form of their compliance with the order to cease and desist.

Issued: April 11, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-5023; Filed, May 4, 1967; 8:46 a.m.]

[Docket No. C-1196]

PART 13—PROHIBITED TRADE PRACTICES

Dynamic Imports, Inc., and Dynamic Fashions, Inc.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Dynamic Imports, Inc., et al., New York, N.Y., Docket C-1196, Apr. 17, 1967]

Consent order requiring two New York City importers of women's wool slacks to cease misbranding the fiber content of their merchandise.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Dynamic Imports, Inc., a corporation and its officers, and Dynamic Fashions, Inc., and its officers, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the offering for sale, sale, transportation, distribution, or delivery for shipment or shipment in commerce, of women's slacks composed in whole or in part of wool, or other wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding wool products by:

A. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of constituent fibers included therein.

B. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 17, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-5024; Filed, May 4, 1967; 8:46 a.m.]

[Docket No. C-1193]

PART 13—PROHIBITED TRADE PRACTICES

H. L. Whiting Co., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods:* 13.30-100 Wool Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:*

13.1212–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; secs. 2–5, 54 Stat. 1128–1130; 15 U.S.C. 45, 68) [Cease and desist order, H. L. Whiting Co. et al., Los Angeles, Calif., Docket C–1193, Apr. 11, 1967]

In the Matter of H. L. Whiting Co., a Corporation, and Paul H. Blanton and Stanley W. Sharpe, Individually and as Officers of Said Corporation

Consent order requiring a Los Angeles, Calif., clothing manufacturer to cease misrepresenting the fiber content of its wool products on labels and in advertisements.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents H. L. Whiting Co., a corporation, and its officers, and Paul H. Blanton and Stanley W. Sharpe, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification correctly showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents H. L. Whiting Co., a corporation, and its officers, and Paul H. Blanton and Stanley W. Sharpe, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of constituent fibers contained in jackets or any other textile products in advertisements or in any other manner.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 11, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67–5025; Filed, May 4, 1967; 8:46 a.m.]

[Docket No. C–1197]

PART 13—PROHIBITED TRADE PRACTICES

Pick Galleries, Inc., and Harold R. Pick

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods:* 13.30–30 Fur Products Labeling Act; § 13.73 *Formal regulatory and statutory requirements:* 13.73–10 Fur Products Labeling Act; § 13.155 *Prices:* 13.155–50 Forced or sacrifice sales; § 13.235 *Source or origin:* 13.235–60 Place: 13.235–60(e) Imported products or parts as domestic. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* 13.1108–45 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.1845–30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Pick Galleries, Inc., et al., Winnetka, Ill., Docket C–1197, Apr. 18, 1967]

Consent order requiring a Winnetka, Ill., retailer and auctioneer of various commodities, including fur products, to cease falsely invoicing and advertising his fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Pick Galleries, Inc., a corporation, and its officers, and Harold R. Pick, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Failing to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

B. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively identifies any such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Falsely or deceptively identifies any such fur product as to the country of origin of the fur contained in such fur product.

4. Fails to set forth the term "Broadtail Lamb" in the manner required where an election is made to use that term instead of the word "Lamb".

5. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

6. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

7. Misrepresents, directly or by implication, that any such fur products came from a particular source for the purpose of the sale.

8. Misrepresents, directly or by implication, that any such fur products were secured by respondents from a source that is or was in financial or other distress.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: April 18, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67–5026; Filed, May 4, 1967; 8:46 a.m.]

[Docket No. C–1195]

PART 13—PROHIBITED TRADE PRACTICES

Raymond Lenobel

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods:* 13.30–30 Fur Products Labeling Act;

§ 13.73 *Formal regulatory and statutory requirements:* 13.73–10 Fur Products Labeling Act; § 13.235 *Source or origin:* 13.235–60 Place: 13.235–60(e) Imported products or parts as domestic. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–30 Fur Products Labeling Act; § 13.1280 *Price.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.1845–30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Raymond Lenobel, Chicago, Ill., Docket C–1195, Apr. 17, 1967]

Consent order requiring a Chicago, Ill., independent commission salesman to cease misbranding and falsely advertising his fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Raymond Lenobel, an individual trading as Ray Lenobel, or under any other name, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Failing to set forth the term "Dyed Broadtail-processed Lamb" on labels in the manner required where an election is made to use that term instead of the term "Dyed-Lamb".

3. Failing to set forth the term "natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Failing to set forth on labels the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder, in the sequence required by Rule 30 of the aforesaid rules and regulations.

5. Using the term "Appraisal Price" on labels, or terms of similar import or meaning, to represent the value of fur products being offered for sale, unless such evaluations and prices are based upon authentic and bona fide appraisals of value by a qualified appraiser having no pecuniary or other interest in the fur products.

B. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale, or offering for sale of fur products, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively identifies any such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Falsely or deceptively identifies any fur products as to the country of origin of fur contained in such fur products.

4. Fails to set forth the term "Broadtail Lamb" in the manner required where an election is made to use that term instead of the word "Lamb".

5. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

6. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

7. Misrepresents, directly or by implication, that any such fur products came from a particular source for the purpose of the sale.

8. Misrepresents, directly or by implication, that any such fur products were secured by respondent from a source that is or was in financial or other distress.

9. Misrepresents, directly or by implication, that the fur products being offered for sale have been appraised as to value by authentic and bona fide appraisals made by a qualified appraiser having no pecuniary or other interest in the fur product.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: April 17, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67–5027; Filed, May 4, 1967; 8:46 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Selling Merchandise by Lottery Methods Condemned by Commission

§ 15.123 Selling merchandise by lottery methods condemned by Commission.

(a) The Commission issued an advisory opinion in which it ruled that a proposed plan calling for the sale of merchandise by means of a lottery would be contrary to the provisions of section 5 of the FTC Act.

(b) "Moreover," the Commission said, "the fact that the purchaser receives something of value for his consideration does not negate the existence of a lottery."

(c) Under the terms of the proposed plan which was the subject of the advisory opinion, the promotion would consist of a store display carton containing 36 $1 plastic scale model kits, with a different number to be marked on the end of each kit box. The display header would announce to prospective purchasers they could win a $2 chrome plated model if the number on the end of the box corresponds with the number to be posted by the store manager in 4 weeks.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: May 4, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67–4958; Filed, May 4, 1967; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Agricultural Cooperatives May Market Products Through Common Sales Agent

§ 15.124 Agricultural cooperatives may market their products through a common sales agent.

(a) In an advisory opinion the Commission stated that agricultural cooperatives formed under pertinent provisions of the Capper-Volstead Act may establish and market their member's products through a common sales agent.

(b) Counsel for the requesting parties described his clients as cooperative associations of milk producers representing some 361 farmers and dairymen who produce about 2 million pounds of milk per month in excess of that consumed in their trading area. Counsel said that formation of the sales agency by his clients will enable them to dispose of this

excess through bidding on Government contracts to supply milk to military bases in competition with milk now imported from other milk marketing areas for that purpose.

(c) The Capper-Volstead Act (7 U.S.C. 291, 292) permits persons engaged in agricultural pursuits to associate in the collective marketing of their products. Under its provisions cooperative associations formed thereunder may make contracts or agreements as will effect such purpose, and they may have marketing agents in common. The Act has been construed as a grant of immunity from the antitrust laws insofar as collaboration among members of cooperative associations are concerned. This immunity ends, however, at the point where they act, either by themselves or with other persons or entities not in this category, to restrain trade or otherwise eliminate competition at successive stages in the marketing process.

(d) In approving the formation of a common sales agency by cooperative associations of milk producers to market the products of their members the Commission advised Counsel for the requesting parties that its action "is not to be construed as approval for any practice which may be predatory in nature, may result in unlawful monopolization, may restrain commerce to the extent that milk prices are unduly enhanced thereby, nor to conspiracies or combinations between your" clients "and persons or entities not in this category."

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: May 4, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-4959; Filed, May 4, 1967; 8:45 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 377-67]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart W—Authority to Compromise and Close Civil Claims and Responsibility for Judgments, Fines, Penalties, and Forfeitures

SETTLEMENT AUTHORITY; CHANGE IN AMOUNTS

By virtue of the authority vested in me by sections 509 and 510 of Title 28 and section 301 of Title 5 of the United States Code, Subpart W of Part 0 of Chapter I of Title 28 of the Code of Federal Regulations is hereby amended as follows:

1. In the first sentence of § 0.160, substitute the figure "$250,000" for the figure "$100,000" in both places where that figure appears.

2. In § 0.164, substitute the figure "$250,000" for the figure "$100,000" in both places where that figure appears.

3. In § 0.165, substitute the figure "$250,000" for the figure "$100,000."

Dated: April 28, 1967.

RAMSEY CLARK, *Attorney General.*

[F.R. Doc. 67-5039; Filed, May 4, 1967; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Grapefruit Reg. 64, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of seedless grapefruit grown in Regulation Area I of Florida.

(a) *Order.* In § 905.489 (Grapefruit Regulation 64, 31 F.R. 15189) the provisions of paragraph (a)(2) which precede subdivision (i) and subdivision (iii) are amended to read as follows:

§ 905.489 Grapefruit Regulation 64.

(a) * * *

(2) During the period December 29, 1966, through July 31, 1967, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

* * * * *

(iii) Any seedless grapefruit grown in Regulation Area I, which do not grade at least U.S. No. 1 Golden;

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, May 3, 1967, to become effective May 5, 1967.

PAUL A. NICHOLSON, *Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.*

[F.R. Doc. 67-5145; Filed, May 4, 1967; 11:36 a.m.]

[Valencia Orange Reg. 200]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and this regulation relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

§ 908.500 Valencia Orange Regulation 200.

(a) *Order.* (1) Valencia Orange Regulation 192 (32 F.R. 4527) is hereby terminated at 12:01 a.m., P.s.t., May 7, 1967.

(2) Valencia Orange Regulation 195 (32 F.R. 5619) is hereby terminated at 12:01 a.m., P.s.t., May 7, 1967.

(3) During the period beginning at 12:01 a.m., P.s.t., May 7, 1967, and ending at 12:01 a.m., P.s.t., January 31, 1968, no handler shall handle:

(i) Any Valencia oranges grown in District 1, District 2, or District 3 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the oranges in any type of container may measure smaller than 2.20 inches in diameter; or

(ii) Any Valencia oranges grown in District 1, District 2, or District 3 which are of a size larger than 3.50 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from stem to the blossom end of the fruit: *Provided*, That not to exceed 10 percent, by count, of the oranges in any type of container may measure larger than 3.50 inches in diameter.

(4) As used in this section, "handle," "handler," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 2, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-5038; Filed, May 4, 1967; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. III, Amdt. 14]

PART 1483—WHEAT AND FLOUR

Payment Terms and Financial Arrangements

Correction

In F.R. Doc. 67-4407, appearing at page 6257 of the issue for Friday, April 21, 1967, the words reading "slight draft" in § 1483.158(a)(3) should read "sight draft".

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER F—PERSONNEL

PART 577—MEDICAL AND DENTAL ATTENDANCE

Fiscal Policies Pertaining to Dependents' Medical Care

Sections 577.80—577.84 are revised to read as follows:

Sec.
577.80 Purpose.
577.81 Health benefits provided from civilian sources.
577.82 Contracts.
577.83 Payments.
577.84 Claims for reimbursement.

AUTHORITY: The provisions of §§ 577.80 to 577.84 issued under sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 1071-1085, 72 Stat. 1445-1450, as amended; 10 U.S.C. 1071-1085.

§ 577.80 Purpose.

Sections 577.80-577.84 established policies and procedures on fiscal aspects of medical care for eligible beneficiaries of all of the uniformed services in accordance with the Dependents' Medical Care Act (Title 10, United States Code, secs. 1079-1087), as amended by the Military Medical Benefits Amendments of 1966 (Public Law 89-614). It is to be used in conjunction with §§ 577.60-577.70 which state the basic policies on uniformed services health benefits.

§ 577.81 Health benefits provided from civilian sources.

(a) Within the United States and Puerto Rico, payment for authorized health benefits received from civilian sources by eligible beneficiaries normally is provided through contractual arrangements with civilian agencies. This portion of the Uniformed Services Health Benefits Program is administered by the Executive Director, Office for the Civilian Health and Medical Program of the Uniformed Services, Office of The Surgeon General, Department of the Army, Denver, Colo. 80240 (hereinafter referred to as the Executive Director). The Executive Director also administers health benefits received from civilian sources by eligible beneficiaries in Canada and Mexico through direct payment to the sources of care.

(b) The Secretary of the Army, as Executive Agent, is responsible for providing for personnel, space, equipment, facilities and supplies, including related budgeting, funding, administrative control of funds, facility control, training, manpower control and utilization, personnel administration, security administration, and other administrative support necessary to operate the Office for the Civilian Health and Medical Program of the Uniformed Services.

(c) Outside the United States, Puerto Rico, Canada, and Mexico, direct payment is made to sources of civilian care in accordance with the directives of the individual services.

§ 577.82 Contracts.

In the United States and Puerto Rico, payments for authorized health benefits from civilian sources furnished eligible beneficiaries of all of the uniformed services will be provided by contractual arrangements between the Executive Director and appropriate civilian agencies, where practicable. Payments for authorized health benefits provided eligible beneficiaries in Canada and Mexico will be made by the Executive Director.

(a) Contracts will include but are not limited to the following:

(1) Local schedules of allowances for physicians and professional fee schedules for drugs to be used as a guide in full payment of bills presented by these civilian sources of health benefits where such schedules are applicable.

(2) A provision for review and, if necessary, an adjustment of payments for administrative overhead charges not later than 120 days after the close of each year the plan or plans are in effect.

(3) Determination of administrative responsibilities of the contractors and methods of determining administrative costs.

(4) Adequate billing procedures covering bills transmitted from civilian sources of health benefits through the contractor to the Government. These procedures will make each contractor responsible for paying civilian sources for authorized health benefits furnished in his contract area in accordance with the contract terms.

(5) Procedures for payment by physician contractors of claims for reimbursement submitted by dependents or their sponsors and by retired members where the patient has paid the entire charge for health benefits.

(6) Procedures for assuring that the beneficiary does not pay more than the amounts prescribed under the cost-sharing formula contained in § 577.65(1)(1).

(7) Provision that the contractor shall have detailed responsibility for resolving medical disputes through local grievance committees composed of civilian physicians.

(8) Such other specific contractual instructions as are required.

(b) The responsibilities of the Executive Director with respect to contract administration include but are not limited to the following:

(1) Liaison activities with the contractors.

(2) Payment of bills.

(3) The development of any budgetary information required by the uniformed services.

(4) Preparation of such statistical information as may be necessary including that for the annual report of the Secretary of Defense to the Congress.

(5) Responsibility for processing complaints with reference to civilian health benefits arising within his area of responsibility.

(c) The Executive Director's responsibility does not include as a matter of routine, a detailed supervision of civilian medical procedures or a detailed inspection of civilian medical facilities.

(d) Contract audits will be conducted by the Defense Contract Audit Agency at the site where the contractor maintains records. Reports of audit will be forwarded to the Executive Director for appropriate action.

§ 577.83 Payments.

(a) *Claim forms.* Forms for submitting claims for the various types of services authorized under the program are described in §§ 577.60—577.70.

(b) *Payment to civilian health benefits sources in the United States, Puerto Rico, Canada, and Mexico.* (1) Payment to civilian sources of health benefits in the United States and Puerto Rico will be made by the appropriate contractor upon receipt of a properly documented claim form. (These forms will be made available to contractors for distribution

to civilian sources of care through Adjutant General Publications Centers.)

(2) Where authorized health benefits are provided to eligible beneficiaries by civilian sources in Canada and Mexico or by civilian sources in the United States and Puerto Rico not subject to contract procedures, claim forms will be submitted to the Executive Director for payment.

(c) *Payment to civilian sources of health benefits outside the United States, Puerto Rico, Canada, and Mexico.* Payment will be made to civilian sources furnishing authorized health benefits to eligible beneficiaries in accordance with regulations of the individual services. Payment may be direct or through contractual arrangements. DA Forms 1863–1 (Hospital) "Services By Civilian Hospitals, Private Nurses, Anesthetists, Physical Therapists—Medicare" and 1863–2 (Physician) "Services By Civilian Physicians and Dentists—Medicare" will be requisitioned through established forms requisitioning channels of the uniformed service concern. Copies of the claim form will be used to support the payment vouchers, Standard Form 1034 (Public Voucher for Purchases and Services Other Than Personal) except that in instances where this form is not readily obtainable, the payment voucher will be supported by an invoice from the source of civilian benefits which will clearly reflect the data required by the claim form.

§ 577.84 Claims for reimbursement.

The individual should not pay for civilian health benefits authorized at Government expense except for that portion which is his responsibility. However, in cases where an eligible beneficiary received authorized civilian health benefits and the sponsor or patient paid the complete charge for such benefits, reimbursement may be made for that portion of the charge for which the Government is responsible. Procedures for the submission of claims for reimbursement are outlined in §§ 577.60–577.70.

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 67-5014; Filed, May 4, 1967; 8:45 a.m.]

Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army

PART 1810—CIVIL DEFENSE IDENTIFICATION FOR FEDERAL EMPLOYEES, RESERVISTS AND NON-FEDERAL SUPPORT PERSONNEL

Issuance Authority; Department of Transportation

Paragraph (a) of § 1810.4 is amended by adding to the list of departments, agencies, and Federal officials therein authorized to issue identification cards, in proper alphabetical sequence, the name "Department of Transportation".

(Secs. 201, 204, 401, Federal Civil Defense Act of 1950, as amended, 64 Stat. 1245–1257, 50 U.S.C. App. 2251–2297; Reorganization Plan No. 1 of 1958, as amended, 72 Stat. 1799–1801, 23 F.R. 4991; Executive Order 10952 of July 20, 1961, as amended, 26 F.R. 6577; Delegation of Authority Regarding Civil Defense Functions and Establishment of the Office of Civil Defense, published April 10, 1964, 29 F.R. 5017)

Effective date. This amendment shall be effective upon publication in the FEDERAL REGISTER.

JOSEPH ROMM,
Acting Director of Civil Defense.

[F.R. Doc. 67-4957; Filed, May 4, 1967; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS

Miscellaneous Amendments

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), 245 DM–1 (27 F.R. 6395), as amended, Part 7 of Title 36 of the Code of Federal Regulations is amended as set forth below. The purpose of these amendments is to revoke regulations which are no longer necessary because they are duplicated by regulations contained in Parts 1 through 6 of this chapter, or for other reasons, and to provide a convenient index to the special regulations contained in this part.

Since these amendments will not impose any additional restrictions on the public and in some instances will remove existing restrictions, public comment thereon is deemed to be unnecessary and these amendments shall take effect upon publication in the FEDERAL REGISTER.

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3)

GEORGE B. HARTZOG, Jr.,
Director, National Park Service.

APRIL 24, 1967.

Part 7 of Title 36 of the Code of Federal Regulations is hereby amended by revoking all of the following sections in their entirety:

Sec.
7.12 Kennesaw Mountain National Battlefield Park.
7.19 Morristown National Historical Park.
7.20 Moores Creek National Military Park.
7.23 George Washington Birthplace National Monument.
7.29 Bandelier National Monument.
7.30 Bryce Canyon National Park.
7.32 Ocmulgee National Monument.
7.33 Statue of Liberty National Monument.
7.35 Gettysburg National Military Park.
7.37 Timpanogos Cave National Monument.
7.50 Theodore Roosevelt National Memorial Park.
7.51 Vicksburg National Military Park.
7.52 Devils Tower National Monument.
7.53 Scotts Bluff National Monument.
7.54 Colorado National Monument.
7.56 Petersburg National Military Park.
7.59 Wind Cave National Park.
7.62 Fort Sumter National Monument.

Part 7 of Title 36 of the Code of Federal Regulations is hereby amended by the addition of the following note, immediately following the citation of authority:

NOTE:

ALPHABETICAL LISTING

[F.R. Doc. 67-5028; Filed, May 4, 1967; 8:46 a.m.]

Chapter III—Corps of Engineers, Department of the Army

PART 311—PUBLIC USE OF CERTAIN RESERVOIR AREAS

Connecticut and Massachusetts

The Secretary of the Army having determined that the use of the following reservoir areas by the general public for boating, swimming, bathing, fishing, and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoirs for their primary purposes, hereby prescribes rules and regulations for their public use, pursuant to the provisions of section 4 of the Flood Control Act of 1944 (76 Stat. 1195), adding the reservoirs to those listed in § 311.1, as follows:

§ 311.1 **Areas covered.**

* * * * *

Connecticut

* * * * *

Colebrook Reservoir area, West Branch, Farmington River.
Hop Brook Reservoir area, Hop Brook.
Hancock Branch Reservoir area, Hancock Brook.
Northfield Brook Reservoir area, Northfield Brook.
West Thompson Reservoir area, Quinebaug River.

* * * * *

Massachusetts

* * * * *

Conant Brook Reservoir area, Conant Brook.

* * * * *

[Regs., April 20, 1967, ENGOW-OM] (Sec. 4, 58 Stat. 889, as amended; 16 U.S.C. 460d)

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 67-5015; Filed, May 4, 1967; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Table of Frequency Allocations

In the matter of amendment of Part 2 of the Commission's rules and regulations to revise footnote US39 to the Table of Frequency Allocations to remove an ambiguity concerning the frequencies to which that footnote applies.

1. The Commission has before it the desirability of amending Part 2 of its rules and regulations to clarify the extent to which footnote US39 of the Table of Frequency Allocations applies to frequencies in the band 1540–1660 Mc/s.

2. Footnote US39 is intended to permit the interim use of radio altimeters in the band 1600–1660 Mc/s. However, since the footnote indicator, US39, in the Table of Frequency Allocations appears adjacent to the larger frequency band 1540–1660 Mc/s, it might be interpreted that radio altimeters are permitted in that entire band, which is not the case. To eliminate this ambiguity, footnote US39 is herein revised to clearly stipulate which portion of the band 1540 to 1660 Mc/s may be used in radio altimeter applications.

3. Inasmuch as the amendments adopted herein are purely editorial in nature, the prior public notice and effective date provisions of section 4 of the Administrative Procedures Act are not applicable.

4. Authority for this action is contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and in § 0.261(a) of the Commission's rules.

5. In view of the foregoing: *It is ordered*, That, effective May 8, 1967, Part 2 of the Commission's rules is amended as set forth below.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted: May 1, 1967.

Released: May 2, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

In Part 2 of Chapter I of Title 47 of the Code of Federal Regulations, footnote US39 to the Table of Frequency Allocations, § 2.106, is amended to read as follows:

U.S. FOOTNOTES

* * * * *

US39 Within the band 1540–1660 Mc/s, radio altimeters are permitted to use only the portion 1600–1660 Mc/s and then only until such time as international standardization of other aeronautical radionavigation systems or devices requires the discontinuance of radio altimeters in this band.

* * * * *

[F.R. Doc. 67-5043; Filed, May 4, 1967; 8:48 a.m.]

[FCC 67-523]

PART 15—EXPERIMENTAL RADIO SERVICES

Radiation Interference Limits

1. The Electronic Industries Association has submitted a petition, RM-1134, requesting that § 15.63(c) be amended to extend the expiration date for the temporary limit of 1000 uV/m for radiation in the band 470–1000 Mc/s from television receivers from April 30, 1967, to April 30, 1969. The petition was put on public notice on April 21, 1967, pursuant to § 1.405 of Part 1 of our rules and a waiting period of 30 days must ensue, so that action on this petition cannot be taken prior to the expiration of said temporary 1000 uV/m limit.

2. Part 15 requires that radiation in the band 470–1000 Mc/s from receivers shall be limited to 500 uV/m at 100 feet. For television receivers this limit has been temporarily increased to 1000 uV/m since the receiver rules were adopted in December 1955. The EIA petition is addressed to a further time extension of this temporary increase.

3. Notice is hereby given, that to permit orderly consideration of said petition, RM-1134: *It is ordered*, That, pursuant to authority in sections 4(i) and 303(r) of the Communications Act of 1934 as amended the date April 30, 1967, in § 15.63(c) of Part 15 of our rules, is extended until July 31, 1967.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: May 1, 1967.

Released: May 2, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5044; Filed, May 4, 1967; 8:48 a.m.]

[Docket No. 17084; FCC 67-500]

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES

PART 85—PUBLIC FIXED STATIONS AND STATIONS OF MARITIME SERVICES IN ALASKA

Marine Control, Marine Repeater, and Marine Relay Stations

In the matter of amendment of Parts 81 and 85 to change the rules concerning certain marine control, marine repeater, and marine relay stations, Docket No. 17084.

1. On January 6, 1967, the Commission issued a notice of proposed rule making in the subject docket (FCC 67-10; 32 F.R. 332). RCA Communications, Inc. (RCAC), filed a comment in the subject proceeding. After close of the comment period, a comment was received from California Citizens Band Association, Inc. (California). Although California's comment was filed late, it is considered relevant to the proceeding and has been taken into account. No reply comments were filed.

2. RCAC's comment concerns the requirement in the proposal that transmitters authorized in an operational fixed station license for operation on frequencies in the 72–76 Mc/s band be type accepted. RCAC's interest in this aspect of the proposal stems from the fact that it has transmitters which are not type accepted in its operational fixed station, call sign KCB-86, at Chatham, Mass. In its comment, RCAC states that it is evaluating type accepted transmitters in order to expedite procurement in the event the proposed rule is adopted.

[1] Commissioners Wadsworth and Johnson absent.

RCAC requests that the subject type acceptance requirement not become effective until 1 year after the rules are adopted so that there will be sufficient time to acquire and install type accepted transmitters, and to provide for any delays that may be encountered. RCAC's request for time in which to complete the changeover to type accepted equipment is reasonable and the public interest would be served by incorporating into the rules herein amended a provision which will not require type accepted transmitters for the subject operational fixed stations until 1 year after the adoption date of these rules. Nontype accepted transmitters licensed during this time interval would be granted license terms which coincide with the changeover date.

3. The comment from the California Citizens Band Association states that the use of the frequency 27.255 Mc/s by operational fixed stations would cause intolerable interference to licensees of Class D radio stations in the Citizens Radio Service. Further, California states that not many operational fixed stations subject to Part 81 would want to use 27.255 Mc/s because of interference from stations in the Citizens Radio Service. California also believes that users in Alaska are likely to experience great difficulty in using the frequency 27.255 Mc/s. The frequency 27.255 Mc/s was made available in December 1954, to licensees of stations on land in the maritime service who needed frequencies for auxiliary operations such as are provided by operational fixed stations. However, no users in the maritime service have ever made application for the frequency. In the light of this fact and the fact that 27.255 Mc/s is being used in the Citizens Radio Service, it appears that no purpose is being served by continuing the availability of the frequency in Part 81. Likewise, the frequency will not be added to Part 85. In view of the fact that the deletion of 27.255 Mc/s from Part 81 is of minor effect, it may be accomplished by this order.

4. The purpose of the amendments is threefold. First, to include in Part 81 the frequencies in the 72–76 Mc/s band made available in Docket No. 14785 to certain operational fixed stations associated with the maritime mobile service. By the rule amendments in Docket No. 14785, channels in the 72–76 Mc/s band were split and frequency deviation was reduced for operational fixed stations in various radio services. Second, these amendments will make operational fixed stations using frequencies in the 72–76 Mc/s band available for licensing to applicants on a regular basis, rather than on a developmental basis as heretofore. Third, these amendments add operational fixed stations to the Alaskan rules, Part 85, with the same requirements and conditions as apply to operational fixed stations subject to Part 81.

5. *It is ordered,* Pursuant to the authority contained in sections 303, (b), (c), (e), and (r) of the Communications Act of 1934, as amended, that effective June 5, 1967, Parts 81 and 85 of the Commission's rules are amended as set forth below.

6. *It is further ordered,* That this proceeding is terminated.

(Secs., 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: April 26, 1967.

Released: April 28, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

Part 81 is amended as follows:

1. Section 81.111 is amended by deleting paragraphs (e) and (f); and by adding new paragraphs (e), (f), (g), and (h):

§ 81.111 Modulation requirements.

* * * * *

(e) Except as provided in paragraph (f) of this section, each radiotelephone transmitter licensed by the Commission for use of F3 or A3 emission in a coast, marine fixed, operational fixed or marine utility station on shore shall be provided with a device which automatically prevents modulation in excess of 100 percent.

(f) A modulation limiter as prescribed in paragraph (e) of this section is not required in the following stations or transmitters:

(1) Stations authorized for developmental operation;

(2) Transmitters of plate input power of 3 watts or less when used in marine utility stations or other stations of a portable nature;

(3) Transmitters using frequencies in the band 73.0–74.6 Mc/s in operational fixed stations authorized on December 1, 1961, which were first authorized or installed prior to July 1, 1950.

(g) Single sideband and independent sideband transmitters shall automatically limit the peak envelope power to the authorized transmitter power.

(h) Each transmitter operated in the bands 72.0–73.0 and 75.4–76.0 Mc/s shall be equipped with an audio low pass filter. The audio low pass filter shall be installed between the modulation limiter and the modulated stage, and, at audio frequencies between 3 kc/s and 15 kc/s, shall have an attenuation greater than the attenuation at 1 kc/s by at least 40 $\log_{10}$ (f/3) decibels where "f" is the audio frequency in kilocycles. At audio frequencies above 15 kc/s, the attenuation shall be at least 28 decibels greater than the attenuation at 1 kc/s.

2. Section 81.131(d) is amended to read as follows:

§ 81.131 Authorized frequency tolerance.

* * * * *

(d) Authorized frequency tolerances for stations in the maritime fixed services:

Frequency or frequency ranges	Tolerance—parts in 10^6 unless shown as cycles per second (c/s)
(1) From 2000 to 2850 kc/s: Marine fixed stations and marine receiver-test stations:	
For other than A3A, A3H, and A3J emissions	50
For A3A, A3H, and A3J emissions	20 c/s
(2) (i) 72.0–73.0 Mc/s and 75.4–76.0 Mc/s	5
(ii) 73.0–74.6 Mc/s	50
(3) 100–200 Mc/s: Marine receiver-test stations	20

* * * * *

3. Section 81.132(a)(4) is amended to read as follows:

§ 81.132 Authorized classes of emission.

(a) * * *

(4) Operational fixed stations:
72 to 76 Mc/s..... A1, A2, A3, F1, F2, and F3.

* * * * *

4. In § 81.133, the headnote and text are amended to read:

§ 81.133 Authorized bandwidth and frequency deviation.

(a) Unless otherwise specified in the station license, stations shall use bandwidths not exceeding those set forth in this paragraph for the respective classes of emission authorized in § 81.132.

Class of emission	Emission designator	Authorized bandwidth (kc/s)
A1	0.16A1	0.224
A2	2.66A2	2.724
A3	6A3	8.0
A3A	2.8A3A	3.5
A3H	5.6A3H	7.0
A3H	2.8A3H	3.5
A3J	2.8A3J	3.5
F3	16F3[1]	[1] 20.0
F3	36F3[2]	[2] 40.0
PO	(3)	(3)

[1] Applicable when maximum authorized frequency deviation is 5 kc/s. See paragraph (c) of this section.
[2] Applicable when maximum authorized frequency deviation is 15 kc/s. See paragraph (c) of this section.
[3] Variable.

(b) Bandwidths in excess of those listed in paragraph (a) of this section, or bandwidths for other classes of emissions, may be authorized upon a satisfactory showing of need therefor. An application requesting such special authorization shall fully describe the emission desired and the required bandwidth, and shall state the purpose for which such emission and bandwidth is proposed.

(c) For F3 emission the maximum authorized frequency deviation is as follows:

(1) 5 kc/s within the bands 72.0–73.0 and 75.4–76.0 Mc/s; and

(2) 15 kc/s for stations which were authorized for operation on December 1, 1961, in the frequency band 73.0–74.6 Mc/s; and

(3) 15 kc/s for stations operating in the frequency band 156–174 Mc/s.

5. Section 81.134(f) is amended to read as follows:

§ 81.134 Transmitter power.

* * * * *

[1] Commissioner Lee absent.

(f) For operational fixed stations using frequencies within the band 72 to 76 Mc/s, and for other classes of stations subject to this part operating on frequencies above 174 Mc/s, transmitter power shall be as specified in the respective station authorization.

6. Section 81.137 is amended by adding a new paragraph (c) as follows:

§ 81.137 Transmitters required to be type accepted for licensing.

* * * * *

(c) On and after April 26, 1968, each transmitter authorized in an operational fixed station license for operation on frequencies in the 72–76 Mc/s band (other than transmitters solely for developmental stations) must be type accepted by the Commission.

§§ 81.481–81.486 [Deleted]

7. In Subpart L of Part 81, delete §§ 81.481–81.486, inclusive.

8. Add a new Subpart P to Part 81 as follows:

Sec.
81.601 Service authorized.
81.602 Eligibility requirements.
81.603 Frequencies available to operational fixed stations.
81.604 Technical requirements.

AUTHORITY: The provisions of this Subpart P issued under secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303.

Subpart P—Certain Operational Fixed Stations Associated With the Maritime Mobile Service

§ 81.601 Service authorized.

Operational fixed stations associated with the maritime mobile service consist of marine control stations, marine repeater stations, and marine relay stations which are authorized for service as follows:

(a) Marine control stations: to transmit exclusively to the particular coast station whose operation or emission is being controlled.

(b) Marine repeater stations: to transmit exclusively to other authorized marine repeater stations, or to designated radio receiving locations to which the respective transmitted communication is addressed, or to an authorized message center at a designated fixed location.

(c) Marine relay stations: to transmit to and receive from other authorized marine relay stations as specified in the station authorization.

§ 81.602 Eligibility requirements.

An applicant for an operational fixed station using frequencies in the 72–76 Mc/s band must submit the following showings:

(a) That he is the licensee of a coast station;

(b) The specific need for the station; and

(c) That other telecommunications facilities either are not available or will not provide effective results.

§ 81.603 Frequencies available to operational fixed stations.

(a) The following frequencies in the 72–76 Mc/s band may be assigned to operational fixed stations:

Mc/s	*Mc/s*	*Mc/s*	*Mc/s*
72.02 [1]	72.36 [1]	72.80	75.66
72.04 [1]	72.38 [1]	72.82	75.68
72.06 [1]	72.40 [1]	72.84	75.70
72.08 [1]	72.42	72.86	75.72
72.10 [1]	72.46	72.88	75.74
72.12 [1]	72.50	72.90	75.76
72.14 [1]	72.54	72.92	75.78
72.16 [1]	72.58	72.94	75.80
72.18 [1]	72.62	72.96	75.82
72.20 [1]	72.64	72.98	75.84
72.22 [1]	72.66	75.42	75.86
72.24 [1]	72.68	75.46	75.88
72.26 [1]	72.70	75.50	75.90
72.28 [1]	72.72	75.54	75.92
72.30 [1]	72.74	75.58	75.94
72.32 [1]	72.76	75.62	75.96
72.34 [1]	72.78	75.64	75.98

[1] These frequencies are available on a shared basis with the Manufacturers Radio Service.

(b) The frequencies listed in paragraph (a) of this section are assignable under the following conditions:

(1) In any area in the United States (including Alaska) a maximum of four frequencies may be assigned to operational fixed stations.

(2) All authorizations are subject to the condition that no harmful interference shall be caused to the service of existing and previously authorized operational fixed stations.

(3) If the Commission finds that the the public interest, convenience, or necessity would be served thereby, licensees of operational fixed stations authorized to operate on one or more of the frequencies specified in paragraph (a) of this section shall be required to share, on a coordinated noninterference basis, the use of their respective frequency assignments with other licensees using the same frequencies.

(4) All authorizations are subject to the condition that no harmful interference will be caused to television reception on Channels 4 and 5.

(5) The applicant agrees to eliminate any harmful interference caused by his operation to TV reception on either Channel 4 or 5, that might develop, by whatever means are found necessary, within 90 days of the time knowledge of said interference is first brought to his attention by the Commission. If said interference is not cleared up within the 90-day period, operation of the fixed station will be discontinued.

(6) Vertical polarization must be used.

(7) Whenever it is proposed to locate a 72–76 Mc/s fixed station less than 80, but more than 10 miles from the site of a TV transmitter operating on either Channel 4 or 5, or from the post office of a community in which such channels are assigned but are not in operation, the fixed station shall be authorized only if there are fewer than 100 family dwelling units (as defined by the U.S. Bureau of Census) located within a circle centered at the location of the proposed fixed station (family dwelling units 70 or more miles distant from the TV antenna site are not to be counted) the radius of which shall be determined by use of the chart entitled, "Chart for Determining Radius from Fixed Station in 72–76 Mc/s Band to Interference Contour Along Which 10 Percent of Service From Adjacent Channel Television Station Would Be Destroyed." Two charts are provided, one for Channel 4 and one for Channel 5. The Commission may, however, in a particular case, authorize the location of a fixed station within a circle as determined above containing 100 or more family dwelling units upon a showing that:

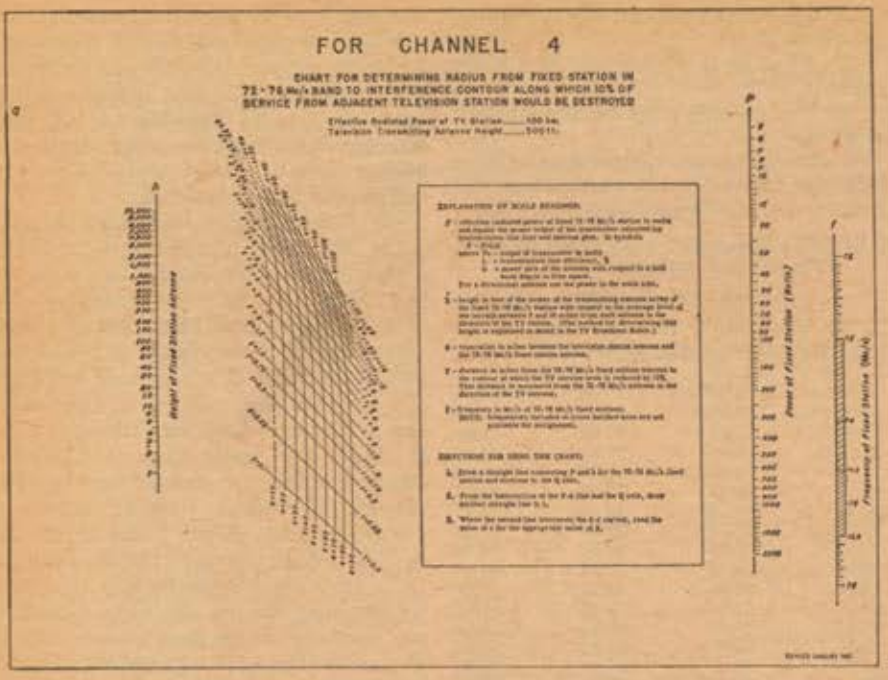
(i) The proposed site is the only suitable location.

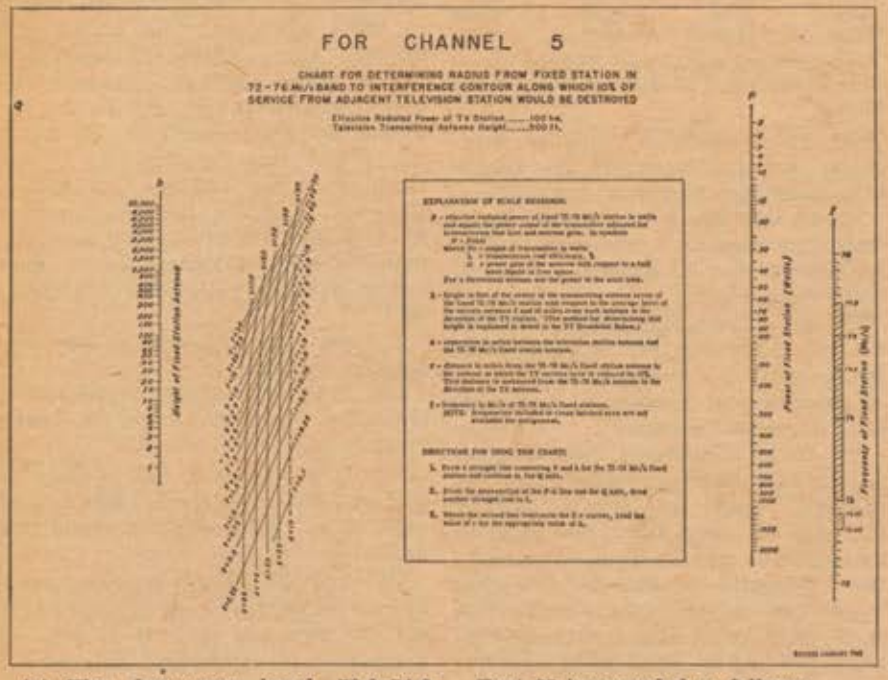
(ii) It is not feasible, technically or otherwise, to use other available frequencies.

(iii) The applicant has a plan to control any interference that might develop to TV reception from his operations.

(iv) The applicant is financially able and agrees to make such adjustments in the TV receivers affected as may be necessary to eliminate interference caused by his operations.

(8) All applications for authority to operate with a separation of less than 10 miles from the site of a TV transmitter operating on either Channel 4 or 5, or from the post office of a community in which such channels are assigned but are not in operation, will be returned without action. (See charts.)





(c) The frequency band 73.0–74.6 Mc/s may continue to be licensed to operational fixed stations which were authorized for operation on December 1, 1961, in accordance with the applicable technical specifications contained in this part.

§ 81.604 Technical requirements.

The authorized frequency tolerance, class of emission, bandwidth, frequency deviation, and transmitter power for operational fixed stations are set forth in Subpart E of this part. Modulation requirements for such stations are set forth in Subpart D of this part.

Part 85 is amended as follows:

1. Section 85.4(b) is amended to include therein the definition of operational fixed station as follows:

§ 85.4 Definitions in other parts applicable.

* * * * *

(b) The definitions set forth in the following sections of Subpart A of Part 81 of this chapter shall apply to stations of the fixed service subject to this part: §§ 81.2(a) to and including 81.2(h), 81.2(j), 81.5(c), 81.7(a) to and including 81.7(h), 81.7(j), 81.7(m), 81.7(n), 81.8, 81.139, and 81.188.

§ 85.115 [Amended]

2. In Section 85.115(b), delete the reference to Subpart P and add the word "and" before the word "O".

3. Section 85.151(b) is amended by adding subparagraph (3), preceding the Note:

§ 85.151 Authorized frequency tolerance.

* * * * *

(b) * * *

(3) For operational fixed stations:

Frequency range	Tolerance parts in 10^6
72.0 to 73.0 Mc/s and 75.4 to 76.0 Mc/s	5

* * * * *

4. Section 85.152 is amended by adding a new paragraph (g) and changing the Note at the end of the section to read as follows:

§ 85.152 Authorized classes of emission.

* * * * *

(g) Operational fixed stations using frequencies in the 72 to 76 Mc/s band are authorized to use A1, A2, A3, F1, F2, and F3 emissions.

NOTE: For information regarding the classification of emissions, the calculation of the bandwidth, and frequency deviation, see Part 2 and Subparts E of Parts 81 and 83 of this chapter.

5. Section 85.153 is amended by adding a new paragraph (e) as follows:

§ 85.153 Transmitter power.

* * * * *

(e) The transmitter power for fixed stations specified in paragraph (b) of this section shall not apply to operational fixed stations. The transmitter power for operational fixed stations using frequencies in the band 72 to 76 Mc/s shall be as specified in the respective station authorization.

6. Section 85.155 is amended by adding a new paragraph (c) as follows:

§ 85.155 Rules in other parts applicable.

* * * * *

(c) So far as it is consistent with this part, § 81.111 of this chapter shall apply to operational fixed stations subject to this part.

7. Section 85.156 is amended by adding paragraph (b):

§ 85.156 Acceptance of transmitters for licensing in the fixed service.

* * * * *

(b) On and after April 26, 1968, each transmitter authorized in an operational fixed station license for operation on frequencies in the 72–76 Mc/s band (other than transmitters authorized solely for developmental stations) must be type accepted by the Commission.

8. Subpart F of Part 85 is amended by adding a new § 85.208 thereto as follows:

§ 85.208 Rules in other parts applicable.

So far as it is consistent with this part, Subpart P of Part 81 of this chapter shall

apply to operational fixed stations subject to this part.

[F.R. Doc. 67-4937; Filed, May 4, 1967; 8:45 a.m.]

[Docket No. 16385]

PART 91—INDUSTRIAL RADIO SERVICES

Policy Governing Assignment of Frequencies

In the matter of amendment of Parts 89, 91, and 93 of the Commission's rules governing the public safety, industrial, and land transportation radio services, respectively, to require evidence of frequency coordination with certain applications involving modifications of facilities, Docket No. 16385.

In the Report and Order (FCC 66-1112) released in this proceeding on December 9, 1966, and published in the FEDERAL REGISTER on December 14, 1966 (31 F.R. 15743), subdivision (viii) in § 91.8(a)(1) was inadvertently omitted. Therefore, subdivision (viii) is added to § 91.8(a)(1) to read:

§ 91.8 Policy governing the assignment of frequencies.

(a) * * *

(1) * * *

(viii) Any application in the Special Industrial or Business Radio Services specifying an itinerant operation only.

* * * * *

Released: May 2, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5045; Filed, May 4, 1967; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 20]

ICE CREAM

Proposal To Amend Identity Standard by Listing Certain Neutral and Alkaline Mineral Salts as Optional Ingredients

Notice is given that the Food Adjuncts Association, Inc., 7979 Old Georgetown Road, Washington, D.C. 20014, has submitted a petition proposing that the identity standard for ice cream (21 CFR 20.1) be amended by listing as optional ingredients the neutral mineral salts sodium citrate, disodium phosphate, tetrasodium pyrophosphate, and sodium hexametaphosphate; and the alkaline mineral salts calcium oxide, magnesium oxide, calcium hydroxide, and magnesium hydroxide. The permitted total amounts of these ingredients proposed are 0.2 percent of the neutral salts and 0.04 percent of the alkaline salts by weight of the finished food.

Grounds stated in support of the proposal are that the use of such mineral salts will give frozen desserts a more chewy body and a finer texture. It is also stated that mineral salts in soft-serve frozen desserts will result, through the altering of protein hydration, in a stiffer, dryer product and will delay the occurrence of "churning-out" or fat separation due to excessive agitation.

Accordingly, it is proposed that § 20.1 (f) be amended by adding thereto a new subparagraph, as follows:

§ 20.1 Ice cream; identity; label statement of optional ingredients.

* * * * *

(f) * * *

(8) (i) Sodium citrate, disodium phosphate, tetrasodium pyrophosphate, sodium hexametaphosphate, or any combination of two or more of these; but the total quantity of the solids of such ingredients (exclusive of any disodium phosphate or sodium citrate present in chocolate or cacao, as permitted by paragraph (b) (3) of this section) is not more than 0.2 percent by weight of the finished ice cream.

(ii) Calcium oxide, magnesium oxide, calcium hydroxide, magnesium hydroxide, or any combination of two or more of these; but the total quantity of the solids of such ingredients is not more than 0.04 percent of the weight of the finished ice cream.

* * * * *

Due to cross-references, adoption of the proposed amendment to the standard for ice cream (§ 20.1) would have the effect of making the subject mineral salts permitted ingredients of frozen custard (§ 20.2) and of ice milk (§20.3).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal.

Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: April 27, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-5061; Filed, May 4, 1967; 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 1, 91, 97, 121, 135]

[Docket No. 8130; Notice 67-19]

TERMINAL INSTRUMENT PROCEDURES (TERPS)

Implementation of U.S. Standard

The Federal Aviation Administration is considering amending Parts 1, 91, 97, 121, and 135 of the Federal Aviation Regulations to implement new techniques and criteria associated with the U.S. Standard for Terminal Instrument Procedures, hereinafter referred to as TERPS.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before July 5, 1967, will be considered by the Administrator before taking action on the proposed rules. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, before and after the closing date for comment, in the Rules Docket for examination by interested persons.

Revision of the present method of developing terminal instrument procedures is necessary in order to realize maximum benefits from improvements in aircraft equipment, navigation facilities and aids, and in weather observation and measurement techniques. TERPS supersedes the U.S. Manual of Criteria for Standard Instrument Approach Procedures (1956), and contains criteria for development of terminal procedures which reflect these revised concepts. TERPS was issued in September 1966, as FAA Handbook 8260.3, and has been adopted by the Departments of the Army, Navy, Air Force, and the U.S. Coast Guard. Copies may be obtained from Publication and Graphics Division, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20590. Copies are also available for examination at any Regional or Area office of the FAA. Periodic revision and further development of the criteria is contemplated and comments or recommendations are invited from interested persons at any time.

The initial issue of instrument procedures reflecting the revised criteria is planned for this summer. We anticipate that approximately two years will be required to reissue each individual approach procedure under the new criteria. One method of handling this transition period would be to temporarily prescribe two sets of rules, one directed to the use of the new procedures, the other directed to the present procedures. Another method would be to immediately convert each present ceiling value in the instrument approach procedures to a minimum descent altitude (MDA) or decision height (DH) as appropriate, and replace the present rules with new rules governing the use of MDA and DH. In the interest of eliminating the potential confusion of having two sets of instrument proposes the latter course of action. However, comments are particularly solicited as to which of these methods is considered preferable by the aviation community.

Proposed § 91.116 contains general rules governing landing and takeoff and is based primarily on present § 91.117 (a) through (g). The rules governing the use of radar in instrument procedures (proposed § 91.116(f); present § 97.117(f)) and the use of low and medium frequency simultaneous radio range for ADF procedures (proposed § 91.116(g); present § 91.117(b)) have been clarified.

Primary among the improvements in weather observation facilities mentioned above is the accuracy and currency of visibility measurements available through use of the transmissometer. The accuracy of runway visual range (RVR) observations is far greater than that of

reported ground visibility. Accordingly, when RVR is available for a runway, the instrument procedure will prescribe a minimum RVR value rather than a ground visibility minimum. A table of comparable values of RVR and ground visibility has been included in § 91.116(e). This table would be used to determine the applicable ground visibility minimum in the event that RVR was not reported due to a malfunction of equipment or other cause.

Proposed § 91.117 contains new rules applicable to the use of the new procedures. Ceiling minimums will no longer be prescribed in approach procedures and proposed § 91.117(b) would allow approaches down to the prescribed minimum descent altitude or decision height without regard to reported ceiling.

In an effort to reduce chart clutter and enhance graphic presentation of terminal procedures, certain items such as standard alternate and takeoff minimums and standard adjustment of minimums for inoperative components will no longer be shown on individual procedures. Non-standard minimums and adjustments will continue to be prescribed in the individual procedure concerned. Tables for the standard adjustment of minimums to compensate for inoperative components or components or aids not used have been included in proposed § 91.117. Standard weather minimums for designation of alternate airports and for takeoff are included in proposed §§ 91.83(c) and 91.116(c), respectively.

Under TERPS, ceiling minimums will no longer be prescribed for takeoff except for those runways where a ceiling minimum is required to enable the pilot to see and avoid obstructions. The ceiling minimums presently prescribed in Part 97 will be modified or eliminated, as appropriate, as the individual takeoff procedures in Part 97 are reissued under the new criteria.

Prescription of landing minimums for aircraft according to the number of engines will also be phased out. New aircraft approach categories are proposed in § 97.3 that more realistically classify aircraft according to their maneuvering capability.

In addition, it is proposed to amend Parts 121 and 135 to reflect the elimination of ceiling as a restriction on takeoff or landing and to establish minimum descent altitudes and decision heights as controlling factors for approach and landing.

In view of the foregoing, FAA proposes to amend Parts 1, 91, 97, 121, and 135 (14 CFR Parts 1, 91, 97, 121, and 135) as follows:

§ 1.1 [Amended]

1. By adding the following definitions to § 1.1:

"Minimum descent altitude" means the lowest altitude, expressed in feet above mean sea level, to which descent is authorized on final approach or during circling-to-land maneuvering in execution of a standard instrument approach procedure where no electronic glide slope is provided.

"Precision approach procedure" means a standard instrument approach procedure in which an electronic glide slope is provided, such as ILS and PAR.

"Nonprecision approach procedure" means a standard instrument approach procedure in which no electronic glide slope is provided.

§ 1.2 [Amended]

2. By adding the following symbols to § 1.2:

"ALS" means standard approach light system.

"HIRL" means high-intensity runway lights.

"MALS" means medium intensity approach light system.

"MDA" means minimum descent altitude.

"NOPT" means no procedure turn.

"RCLM" means runway centerline marking.

"RCLS" means standard runway centerline light system.

"REIL" means runway end identification lights.

"SALS" means standard short approach light system.

"TDZL" means standard touchdown zone lights.

3. By amending § 91.83(c) to read as follows:

§ 91.83 Flight plan; information required.

* * * * *

(c) *IFR alternate airport weather minimums.* Unless otherwise authorized by the Administrator, no person may include an alternate airport in an IFR flight plan unless current weather forecasts indicate that, at the estimated time of arrival at the alternate airport, the ceiling and visibility at that airport will be at or above the following alternate airport weather minimums:

(1) If an instrument approach procedure has been published in Part 97 for that airport, the alternate airport minimums specified in that procedure or, if none are so specified, the following minimums:

(i) Precision approach procedure: ceiling 600 feet and visibility 2 statute miles.

(ii) Nonprecision approach procedure: ceiling 800 feet and visibility 2 statute miles.

(2) If no instrument approach procedure has been published in Part 97 for that airport, the ceiling and visibility minimums are those allowing descent from the MEA, approach, and landing, under basic VFR.

4. By deleting present § 91.117 and adding new §§ 91.116 and 91.117 reading as follows:

§ 91.116 Takeoff and landing under IFR: General.

(a) *Instrument approaches to civil airports.* Unless otherwise authorized by the Administrator (including ATC), each person operating an aircraft shall, when an instrument letdown to an airport is necessary, use a standard instrument approach procedure prescribed for that airport in Part 97 of this chapter.

(b) *Landing minimums.* Unless otherwise authorized by the Administrator, no person operating an aircraft (except a military aircraft of the United States) may land that aircraft using a standard instrument approach procedure prescribed in Part 97 of this chapter unless weather conditions are at or above the landing weather minimums prescribed in that Part for the procedure used.

(c) *Civil airport takeoff minimums.* Unless otherwise authorized by the Administrator, no person operating an aircraft under Part 121, 129, or 135 of this chapter may take off from a civil airport under IFR unless weather conditions are at or above the weather minimums for IFR takeoff prescribed for that airport by the Administrator. Unless otherwise prescribed in Part 97 of this chapter, the following minimums apply to takeoffs under IFR:

(1) Aircraft having two engines or less: 1 statute mile visibility.

(2) Aircraft having more than two engines: One-half statute mile visibility.

(d) *Military airports.* Unless otherwise prescribed by the Administrator, each person operating a civil aircraft under IFR into, or out of, a military airport shall comply with the instrument approach procedure and the takeoff and landing minimums prescribed by the military authority having jurisdiction on that airport.

(e) *Comparable values of RVR and ground visibility.* (1) If RVR minimums for takeoff or landing are prescribed in an instrument approach procedure, but RVR is not reported for the runway of intended operation, the RVR minimum shall be converted to ground visibility in accordance with the table in subparagraph (2) of this paragraph and observed as the applicable visibility minimum for takeoff or landing on that runway.

(2)—

RVR (feet)	*Visibility (statute miles)*
2,400	½
3,200	⅝
4,000	¾
4,500	⅞
5,000	1
6,000	1¼

(f) *Use of radar in instrument approach procedures.* When radar is approved at certain locations for ATC purposes, it may be used not only for surveillance and precision radar approaches, as applicable, but also may be used in conjunction with instrument approach procedures predicated on other types of radio navigational aids. Radar vectors may be authorized to provide course guidance through the segments of an approach procedure to the final approach fix or position. Upon reaching the final approach fix or position, the pilot will either complete his instrument approach in accordance with the procedure approved for the facility or will continue a surveillance or precision radar approach to a landing.

(g) *Use of low or medium frequency simultaneous radio ranges for ADF procedures.* Low frequency or medium frequency simultaneous radio ranges may

be used as an ADF instrument approach aid if an ADF procedure for the airport concerned is prescribed by the Administrator or if an approach is conducted using the same courses and altitudes for the ADF approach as those specified in the approved range procedure.

(h) *Limitations on procedure turns.* In the case of a radar initial approach to a final approach fix or position, or a timed approach from a holding fix, or where the procedure specifies "NOPT" or "FINAL", no pilot may make a procedure turn unless, when he receives his final approach clearance, he so advises ATC.

§ 91.117 Limitations on use of instrument approach procedures (other than Category II).

(a) *General.* Unless otherwise authorized by the Administrator, each person operating an aircraft using an instrument approach procedure prescribed in Part 97 of this chapter shall comply with the requirements of this section. This section does not apply to the use of Category II approach procedures.

(b) *Descent below MDA or DH.* No person may operate an aircraft below the prescribed minimum descent altitude or decision height unless—

(1) The aircraft is in a position from which a normal approach to the runway of intended landing can be made; and

(2) The approach threshold of that runway, or approach lights or other markings identifiable with the approach end of that runway, are clearly visible to the pilot.

If, upon arrival at the missed approach point or decision height, or at any time thereafter, any of the above requirements are not met, the pilot shall immediately execute the appropriate missed approach procedure.

(c) *Inoperative components.* The normal ground components of an ILS are localizer, glide slope, outer marker, middle marker, and approach lights. In addition, if an ILS approach procedure in Part 97 of this chapter prescribes a visibility minimum of 1,800 feet or 2,000 feet RVR, high-intensity runway lights, touchdown zone lights, centerline lighting and marking, and RVR are components of the system. Compass locator or precision radar may be substituted for the outer or middle marker. Surveillance radar may be substituted for the outer marker. Unless otherwise specified by the Administrator, if a ground component or related airborne equipment is inoperative or unusable, the straight-in minimums prescribed in any approach procedure in Part 97 are raised in accordance with the following tables. If more than one component is inoperative, each minimum is raised to the highest minimum required by any single inoperative component.

(1) *ILS and PAR.*

Inoperative facility	Increase decision height	Increase visibility (statute miles)	Approach category
LOC [1]	ILS approach not authorized.		All.
GS	As specified in the procedure.		All.
OM, [1] MM [1]	50 feet	None	ABC.
OM, [1] MM [1]	50 feet	¼	D.
ALS	50 feet	¼	All.
SALS	50 feet	¼	ABC.

[1] Not applicable to PAR.

(2) *ILS with visibility minimum of 1,800 or 2,000 feet RVR.*

Inoperative facility	Increase decision height	Increase visibility—	Approach category
LOC	ILS approach not authorized.		All.
GS	As specified in the procedure.		All.
OM, MM	50 feet	To ½ mile	ABC.
OM, MM	50 feet	To ¾ mile	D.
ALS	50 feet	To ¾ mile	All.
HIRL, TDZL, RCLS, RCLM.	None	To ½ mile	All.
RVR	None	To ½ mile	All.

(3) *VOR, LOC, LDA, and ASR.*

Inoperative facility	Increase mda	Increase visibility	Approach category
ALS, SALS	None	½ mile	ABC.
HIRL, MALS, REILS.	None	¾ mile	ABC.

(4) *ADF (NDB), and LFR.*

Inoperative facility	Increase mda	Increase visibility	Approach category
ALS	None	¾ mile	ABC.

5. By amending §§ 97.3 and 97.5 to read as follows:

§ 97.3 Symbols and terms used in procedures.

The following symbols and terms appear in standard terminal instrument procedures prescribed in this part:

(a) "A" means alternate airport weather minimum.

(b) "Aircraft approach category" means a grouping of aircraft based on a speed of 1.3 V_{so} (at maximum certificated landing weight) or on maximum certificated landing weight. V_{so} and the maximum certificated landing weight are those values as established for the aircraft by the certificating authority of the country of registry. The categories are as follows. If an aircraft falls into two categories, it is placed in the higher of the two.

(1) Category A: Speed less than 91 knots; weight less than 30,001 pounds.

(2) Category B: Speed 91 knots or more but less than 121 knots; weight 30,001 pounds or more but less than 60,001 pounds.

(3) Category C: Speed 121 knots or more but less than 141 knots; weight 60,001 pounds or more but less than 150,001 pounds.

(4) Category D: Speed 141 knots or more but less than 166 knots; weight 150,001 pounds or more.

(5) Category E: Speed 166 knots or more; any weight.

(c) Approach procedure segments for which altitudes or courses, or both, are prescribed in procedures, are as follows:

(1) "Initial approach" is the segment between the initial approach and the intermediate fix or the point where the aircraft is established on the intermediate course or final approach course.

(2) "Intermediate approach" is the segment between the intermediate fix or point and the final approach fix.

(3) "Final approach" is the segment between the final approach fix or point and the runway, airport, or missed-approach point.

(4) "Missed approach" is the segment between the missed-approach point, or point of arrival at decision height, and the missed approach fix at the prescribed altitude.

(d) "C" means circling landing minimum, a statement of ceiling and visibility values, or minimum descent altitude and visibility, required for circling approach to landing.

(e) "Ceiling minimum" means the minimum ceiling, expressed in feet above the surface of the airport, required for takeoff or required for designating an airport as an alternate airport.

(f) "d" means day.

(g) "More than 65 knots" means an aircraft that has a stalling speed of more than 65 knots (as established in an approved flight manual) at maximum certificated landing weight with full flaps, landing gear extended, and power off.

(h) "MSA" means minimum safe altitude, an emergency altitude expressed in feet above mean sea level, which provides 1,000 feet clearance over all obstructions in that sector within 25 miles of the facility on which the procedure is based (LOM in ILS procedures).

(i) "n" means night.

(j) "NA" means not authorized.

(k) "NOPT" means no procedure turn.

(l) "Procedure turn" means the maneuver prescribed when it is necessary to reverse direction to establish the aircraft on an intermediate or final approach course; the outbound course, direction of turn, distance within which the turn must be completed, and minimum altitude are specified; the point at which the turn may be commenced, and the type and rate of turn, is left to the discretion of the pilot.

(m) "RVV" means runway visibility value.

(n) "S" means straight-in landing minimum, a statement of ceiling and visibility, minimum descent altitude and visibility, or decision height and visibilty, required for a straight-in approach and landing on a specfied runway. The number appearing with the "S" indicates the runway to which the minimum applies.

If a straight-in minimum is not prescribed in the procedure, the circling minimum specified applies to a straight-in approach and landing.

(o) "Shuttle" means a 2-minute racetrack-type holding pattern prescribed in lieu of a procedure turn.

(p) "65 knots or less" means an aircraft that has a stalling speed of 65 knots or less (as established in an approved flight manual) at maximum certificated landing weight with full flaps, landing gear extended, and power off.

(q) "T" means takeoff minimum.

(r) "Visibility minimum" means the minimum visibility specified for approach, or landing, or takeoff, expressed in statute miles, or in feet where RVR is reported.

§ 97.5 Bearings; courses; headings; radials; miles.

(a) All bearings, courses, headings, and radials in this part are magnetic.

(b) RVR values are stated in feet. Other visibility values are stated in statute miles. All other mileages are stated in nautical miles.

6. By amending Part 97 as follows:

(a) By deleting the words "ceiling minimum" wherever they appear as a limitation on the making of an instrument approach and substituting, in place thereof, the term "minimum descent altitude" or "decision height" as appropriate.

7. By amending Part 121 as follows:

(a) By deleting the words "ceilings and visibilities" in §§ 121.613; 121.615 (a); 121.625; and 121.637(b) and substituting, in place thereof, the words "weather conditions".

§§ 121.613, 121.625, 121.637 [Amended]

(b) By amending § 121.637(a)(4) to read as follows:

§ 121.637 Takeoffs from unlisted and alternate airports: domestic and flag air carriers.

(a) * * *

(4) The weather conditions at that airport are equal to or better than the following:

(i) *Airports in the United States.* The weather minimums for takeoff prescribed in Part 97 of this chapter; or where minimums are not prescribed for the airport, 800–2, 900–1½, or 1,000–1.

(ii) *Airports outside the United States.* The weather minimums for takeoff prescribed or approved by the government of the country in which the airport is located; or where minimums are not prescribed or approved for the airport, 800–2, 900–1½, or 1,000–1.

* * * * *

§ 121.651 [Amended]

(c) By amending § 121.651 by—

(i) Deleting the words "ceiling or ground visibility" in paragraph (a) and substituting, in place thereof, the words "weather conditions";

(ii) Deleting the words "ceiling or" in paragraphs (b) and (c);

(iii) Deleting the words "minimum landing altitude" in paragraph (c) and substituting, in place thereof, the words "MDA or DH";

(iv) Deleting the words "ceiling and" in the introductory clause of paragraph (d);

(v) Deleting the words "minimum landing altitude" in paragraph (d)(2) and substituting, in place thereof, the term "MDA"; and

(vi) Deleting the words "landing minimum landing altitude" in the concluding clause of paragraph (d) and substituting, in place thereof, the words "MDA or DH".

§ 121.653 [Amended]

(d) By amending § 121.653 as follows:

(i) By deleting the words "ceiling or ground visibility" in paragraph (a) and substituting, in place thereof, the words "weather conditions".

(ii) By deleting the words "ceiling or" in paragraph (b).

(iii) By deleting the words "ceiling and" in paragraph (c).

(iv) By deleting the words "minimum landing altitude" in paragraph (c)(2) and substituting, in place thereof, the term "MDA".

(v) By deleting the words "landing minimum altitude" in the concluding clause of paragraph (c) and substituting, in place thereof, the words "MDA or DH".

(vi) By deleting the word "ceiling" in paragraph (d) and substituting, in place thereof, the words "MDA or DH".

§ 135.111 [Amended]

8. By amending § 135.111 as follows:

(a) By deleting the words "ceiling and" from the introductory clause of paragraph (b).

(b) By deleting the words "landing minimum altitude" in subparagraph (b)(2) and substituting, in place thereof, the term "MDA".

(c) By deleting the words "landing minimum altitude" in the concluding phrase of paragraph (b) and substituting, in place thereof, the words "MDA or DH".

(d) By deleting the word "ceiling" where it first appears in paragraph (c) and substituting, in place thereof, the words "MDA or DH".

(e) By deleting the phrases "the ceiling is less than 300 feet or" and "the ceiling is less than 200 feet or" in paragraph (d).

These amendments are proposed under the authority of sections 307, 313, and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, and 1421).

Issued in Washington, D.C., on April 28, 1967.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 67-5036; Filed, May 4, 1967; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 243]

[Docket No. 16477; EDR-92C]

REPORTING RESULTS OF SERVICES PERFORMED FOR DEPARTMENT OF DEFENSE

Extension of Time for Submitting Comments

MAY 1, 1967.

In EDR-92B, dated March 29, 1967, and published at 32 F.R. 5562, the Board issued a revised proposed rule which would require the separate reporting of results of charter services performed for the Military Airlift Command in new Part 243. Interested persons were invited to participate in the rule making proceeding by submitting comments on or before April 28, 1967.

Several air carrier members of the Air Transport Association have requested that the time for comments be extended to May 15, 1967, in order that a composite statement of comments may be completed and submitted.

The undersigned finds that good cause has been shown for an extension of time for the period and the purpose requested. Accordingly, pursuant to authority delegated in sections 7.3C and 7.6 of Public Notice PN-15, dated July 3, 1961, the undersigned hereby extends the time for submitting comments to May 15, 1967.

All relevant communications received on or before May 15, 1967, will be considered by the Board before taking action on the proposal. Copies of these communications will be available for examination in the Docket Section, Room 710 Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

(Sec. 204(a), Federal Aviation Act of 1958, as amended; 72 Stat. 743; 49 U.S.C. 1324)

By the Civil Aeronautics Board.

[SEAL] ARTHUR H. SIMMS,
Associate General Counsel, Rules and Rates Division.

[F.R. Doc. 67-5041; Filed, May 4, 1967; 8:47 a.m.]

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

[29 CFR Part 1604]

GUIDELINES ON DISCRIMINATION BECAUSE OF SEX

Extension of Deadline for Filing Statements

Notice is hereby given that the deadline for filing written statements in connection with the Commission's previously announced proposed rule making, 32 F.R. 5999, is extended from May 12, 1967, to June 2, 1967.

The Commission reserves the right and shall endeavor to consider submissions received subsequent to June 2 but prior to Commission action on the subject involved.

Signed at Washington, D.C., this 1st day of May 1967.

STEPHEN N. SHULMAN,
Chairman.

[F.R. Doc. 67-5059; Filed, May 4, 1967; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 97]

[Docket No. 17315]

RADIO AMATEUR CIVIL EMERGENCY SERVICE

Use of F4 and A4 Facsimile; Order Extending Time for Filing Comments

In the matter of amendment of §§ 97.193 and 97.195 of the Radio Amateur Civil Emergency Service rules to provide for the use of F4 and A4 facsimile; Docket No. 17315, RM-964.

The Commission, by its Chief, Safety, and Special Radio Services Bureau, has under consideration a petition submitted on April 26, 1967, by the American Radio Relay League (ARRL), to extend the time for filing comments in the above entitled matter from April 28, 1967, to May 26, 1967.

To support its request, the petitioner states that it will not be possible for the League's Directors to adequately review, consider, and comment upon this important proposal which affects many thousands of the League's members until the Board's annual meeting on May 5, 1967.

In light of the consideration advanced by the petitioner and since it does not appear that the brief extension requested will adversely affect any interested party, it is determined that granting this request will be in the public interest.

Accordingly, it is ordered, Pursuant to section 4(i) of the Communications Act of 1934, as amended, and § 0.331(b)(4) of the Commission's rules, that the time for filing comments in response to the above entitled matter is extended to May 26, 1967, and that the time for filing reply comments is extended to June 15, 1967.

Adopted: April 27, 1967.

Released: May 1, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5054; Filed, May 4, 1967; 8:49 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

National Park Service

HOT SPRINGS NATIONAL PARK

Notice of Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5, Public Law 89–249, public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Hot Springs Mountain Observatory Co. authorizing it to provide concession facilities and services for the public at Hot Springs National Park, Ark., for a period of 5 years from January 1, 1968, through December 31, 1972.

The foregoing concessioner has performed its obligations under the contract to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice.

Interested parties should contact the Director of the National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: April 28, 1967.

LESLIE P. ARNBERGER,
Deputy Assistant Director,
National Park Service.

[F.R. Doc. 67–5029; Filed, May 4, 1967; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

BARBAN

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Gulf Oil Corp., Post Office Box 8200, Kansas City, Mo. 64105, a temporary tolerance of 0.1 part per million is established for negligible residues of the herbicide barban (4-chloro-2-butynyl *m*-chlorocarbanilate) in or on the raw agricultural commodity Gaines winter wheat. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the herbicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture.

This temporary tolerance expires April 28, 1968.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a (j)) and delegated by him to the Commissioner (21 CFR 2.120).

Dated: April 28, 1967.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 67–5062; Filed, May 4, 1967; 8:49 a.m.]

BENZAMIDOOXYACETIC ACID

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Gulf Oil Corp., Dwight Building, Kansas City, Mo. 64105, a temporary tolerance of 0.1 part per million is established for negligible residues of the herbicide benzamidooxyacetic acid in or on sugar beet roots and tops. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the herbicide will be used in accord with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Gulf Oil Corp. name.

This temporary tolerance expires April 28, 1968.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a (j)) and delegated by him to the Commissioner (21 CFR 2.120).

Dated: April 28, 1967.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 67–5063; Filed, May 4, 1967; 8:49 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DEPUTY DIRECTOR, CONTRACTS AND AGREEMENTS DIVISION, OFFICE OF GENERAL SERVICES

Designation as a Contracting Officer

A. The Deputy Director, Contracts and Agreements Division, Office of General Services, is hereby designated as a contracting officer and is authorized to:

1. Enter into and administer procurement contracts and make related determinations under sections 302(c)(12) and 302(c)(13) of the Federal Property and Administrative Services Act, as amended (41 U.S.C. 252(c) (12) and (13)).

2. Enter into and administer agreements with other Federal agencies involving the obligation of funds.

(Redelegation of Director, Office of General Services, effective Mar. 25, 1967, 32 F.R. 4548, Mar. 25, 1967)

Effective date. This designation and redelegation of authority shall be effective as of May 5, 1967.

WILLIAM J. PRIME,
Director,
Contracts and Agreements Division.

[F.R. Doc. 67–5070; Filed, May 4, 1967; 8:50 a.m.]

OFFICE OF EMERGENCY PLANNING

ILLINOIS

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85–763, and Public Law 87–296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated April 25, 1967, reading in part as follows:

> I have determined that the damage in those areas of the State of Illinois adversely affected by tornadoes on April 21, 1967, is of sufficient severity and magnitude to warrant assistance by the Federal Government to supplement State and local efforts.

I do hereby determine the following areas in the State of Illinois to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 25, 1967:

The Counties of:

Boone.	La Salle.
Cook.	McHenry.
Du Page.	Will.
Kane.	Winnebago.
Lake.	

Dated: April 28, 1967.

FARRIS BRYANT,
Director,
Office of Emergency Planning.

MAY 1, 1967.

[F.R. Doc. 67–5030; Filed, May 4, 1967; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

SOUTHWEST CENTER FOR ADVANCED STUDIES

Notice of Application for Duty Free Entry of Scientific Articles

The following notice of application published in Volume 32, Number 78 of the FEDERAL REGISTER (Apr. 22, 1967) pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897), is hereby amended by adding the words enclosed in brackets to the description of the article:

Docket number: 67-00022-90-46040. Applicant: Southwest Center for Advanced Studies, 2400 North Armstrong Parkway, Richardson, Tex. 75080. Article: Scanning Electron Microscope JSM-3 (plus one goniometer stage). Manufacturer: Japan Electron Optics Laboratory Co. Ltd., Japan. Intended use of article: Applicant states:

For the most part, the instrument will be used by students and faculty for research in micropaleontology of radiolaria and foraminifera with emphasis on microstructures * * *.

* * * * *

To a lesser extent the instrument will be used in studies of surface properties of geological materials including lunar samples to be investigated under a NASA contract. One faculty member will be using the instrument to analyze the orientation and shape of Fe_2O_3 grains in sediments as an adjunct to paleomagnetic studies. Another faculty member and graduate student at Southern Methodist University will utilize the instrument for study of chemical etch pits on polished surfaces of geological specimens.

Application received by Commissioner of Customs: April 5, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-5012; Filed, May 4, 1967; 8:45 a.m.]

Maritime Administration

[Report No. 12]

LIST OF FOREIGN FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JANUARY 25, 1966

SECTION 1. The President has approved a policy of denying the carriage of U.S. Government-financed cargoes shipped from the United States on foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate U.S. Government Departments the following list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through April 27, 1967. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at U.S. ports.

FLAG OF REGISTRY / NAME OF SHIP	Gross tonnage
Total, all flags (40 ships)	278,883
British (11 ships)	61,311
**Ardgroom (broken up)	7,051
Ardrowan	7,300
**Ardtara (now Hyperion—British)	5,795
*Dartford	2,739
Greenford	2,964
Hyperion (trip to North Vietnam under ex-name, Ardtara—British).	
Isabel Erica	7,105
Milford	1,889
Santa Granda	7,229
Shienfoon	7,127
Shirley Christine	6,724
*Yungfutary	5,388
Cypriot (4 ships)	28,852
Acme	7,173
**Agenor (trips to North Vietnam—Greek).	
**Alkon (trips to North Vietnam—Greek—broken up).	
Amfitriti	7,147
Amon	7,229
Antonia II	7,303
Greek (2 ships)	14,289
**Agenor (now Cypriot)	7,139
**Alkon (now Cypriot—broken up)	7,150
Maltese (1 ship)	7,304
Amalia	7,304
Polish (22 ships)	167,127
Andrzej Strug	6,919
Beniowski	10,443
Djakarta	6,915
*Energetyk	10,876
General Sikorski	6,785
Hanka Sawicka	6,944
Hanoi	6,914
Hugo Kollataj	3,755
Jan Matejko	6,748
Jozef Conrad	8,730
Kapitan Kosko	6,629
Kochanowski	8,231
*Konopnicka	9,690
Lelewel	7,817
Marceli Nowotko	6,660
Marian Buczek	7,053
Norwid	5,512
Phenian	6,923
Stefan Okrzeja	6,620
Transportowiec	10,854
Wieniawski	9,190
Wladyslaw Broniewski	6,919

SEC. 2. In accordance with approved procedures, the vessels listed below which called at North Vietnam on or after January 25, 1966, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the North Vietnam trade so long as it remains the policy of the U.S Government to discourage such trade and;

(b) That no other vessels under their control will thenceforth be employed in the North Vietnam trade, except as provided in paragraph (c) and;

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to January 25, 1966, requiring their employment in the North Vietnam trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY

a. Since last report: None.
b. Previous reports:

	Number of ships
British	1

Dated: April 29, 1967.

By order of the Acting Maritime Administrator.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 67-5013; Filed, May 4, 1967; 8:45 a.m.]

*Added to Report No. 11 appearing in the FEDERAL REGISTER issue of Apr. 1, 1967.

**Ships appearing on the List that have been scrapped or have had changes in name and/or Flag of Registry.

[Docket S-205]

MOORE-McCORMACK LINES, INC.

Notice of Application

Notice is hereby given of the application dated April 12, 1967, of Moore-McCormack Lines, Inc., for written permission, under section 805(a) of the Merchant Marine Act, 1936, as amended, to permit its affiliated company, Commercial Steamship Co., Inc., to own and operate two tank vessels of approximately 37,250 DWT each in the domestic intercoastal and coastwise transportation of petroleum products. These two tank vessels would be constructed for this trade, and would either be operated by Commercial Steamship Co., Inc., and/or chartered to the Military Sea Transportation Service or private concerns.

Interested parties may inspect this application in the Office of Government Aid, Maritime Administration, Room 4077, GAO Building, 441 G Street NW., Washington, D.C.

Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) or desiring to submit a written statement with reference to the application must, before the close of business on May 18, 1967, make such submission or notify the Secretary, Maritime Subsidy Board/Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in § 201.78 of the rules of practice and procedure, Maritime Subsidy Board/Maritime Administration (46 CFR 201.78), petitions for leave to intervene received after the close of business on May 18,

1967, will not be granted in this proceeding.

If no petitions for leave to intervene are received within the specified time, or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board/Maritime Administration will take such action as may be deemed appropriate.

In the event petitions are received from parties with standing to be heard on the application, a hearing will be held June 1, 1967, at 10 a.m., in Room 4519, General Accounting Office Building, 441 G Street NW., Washington, D.C. The purpose of the hearing will be to receive evidence under section 805(a) relative to whether the proposed operation (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or (b) would be prejudicial to the objects and policy of the Act.

By Order of the Maritime Subsidy Board/Maritime Administration.

Dated: May 3, 1967.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 67-5101; Filed, May 4, 1967; 8:50 a.m.]

National Bureau of Standards

NBS RADIO STATIONS

Notice of Standard Frequency and Time Broadcasts

In accordance with the National Bureau of Standards policy of giving monthly notices regarding changes of phases in seconds pulses, notice is hereby given that there will be an adjustment in the phase of seconds pulses emitted from radio station WWVB, Fort Collins, Colo. On June 1, 1967, the clock at the station will be retarded by 200 ms at 0000 hours UT, as announced by the Bureau International de l'Heure (BIH) for the stepped atomic time (SAT) system. The successive time pulses emitted from station WWVB are 1 second apart. The carrier frequency is 60 kHz and is broadcast without offset.

Notice is also hereby given that there will be no adjustment in the phases of time signals emitted from radio stations WWVB, Fort Collins, Colo., and WWVH, Maui, Hawaii, on June 1, 1967. During 1967, the pulses will occur at intervals which are longer than 1 second by 300 parts in 10^{11}, due to the offset to be maintained in carrier frequencies, as coordinated by the BIH.

Phase adjustments, when made, ensure that the emitted pulses from all stations will remain within about 100 ms of the UT2 scale. They are made necessary because of changes in the speed of rotation of the earth with which the UT2 scale is associated. Daily UT2 information is obtained from weekly forecasts of extrapolated UT2 clock readings provided by the U.S. Naval Observatory in accordance with the close cooperation maintained between the two agencies.

A. V. ASTIN,
Director.

[F.R. Doc. 67-5040; Filed, May 4, 1967; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-216]

NEW YORK UNIVERSITY

Notice of Issuance of Facility License

No request for a hearing or petition to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, and the Atomic Energy Commission having found that the reactor has been constructed in conformity with Construction Permit No. CPRR-81, the Atomic Energy Commission has issued, effective as of the date of issuance, Facility License No. R-107 authorizing New York University to operate its Model AGN-201M, Serial No. 105 nuclear reactor facility located on the Campus in University Heights, Borough of the Bronx, New York, N.Y.

The license was issued substantially as set forth in the Notice of Proposed Issuance of Facility License published in the FEDERAL REGISTER April 1, 1967, 32 F.R. 5477, with the exception of minor changes in wording to clarify the conditions of the license.

Dated: April 27, 1967.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

FACILITY LICENSE

[License No. R-107]

The Atomic Energy Commission having found that:

a. The application for license complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

b. There is reasonable assurance that (i) the activities authorized by this license can be conducted at the designated location without endangering the health and safety of the public, and (ii) such activities will be conducted in compliance with the rules and regulations of the Commission;

c. New York University is technically and financially qualified to engage in the activities authorized by this license in accordance with the rules and regulations of the Commission;

d. New York University is a nonprofit educational institution and will operate the reactor for the conduct of educational activities. New York University is therefore exempt from the financial protection requirement of subsection 170a. of the Atomic Energy Act of 1954, as amended;

e. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public.

Facility License No. R-107, effective as of the date of issuance, is issued as follows:

1. This license applies to the homogeneous nuclear reactor Model AGN-201M, Serial No. 105, nuclear reactor (hereinafter "the reactor") which is owned by New York University (hereinafter "the licensee"), located in University Heights, Borough of the Bronx, New York, N.Y., and described in the application for license dated December 19, 1963, as amended (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Atomic Energy Commission (hereinafter "the Commission") hereby licenses New York University:

A. Pursuant to section 104c. of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and Title 10 CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess, use and operate the reactor as a utilization facility at the designated location.

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material," to receive, possess and use in connection with operation of the reactor, up to 660 grams of uranium-235.

C. Pursuant to the Act and Title 10, Chapter I, Part 30, "Rules of General Applicability to Licensing of Byproduct Material," to possess and use a radium-beryllium neutron startup source, and to possess, but not to separate, such byproduct material as may be produced by operation of the reactor.

3. This license shall be deemed to contain and is subject to the conditions specified in 10 CFR Part 20, §§ 50.54 and 50.59 of 10 CFR Part 50, § 70.32 of 10 CFR Part 70 and § 30.34 of 10 CFR Part 30 of the Commission's regulations, as well as all applicable provisions of the Act and the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. *Maximum power level.* The licensee is authorized to operate the reactor at steady state power levels up to a maximum of 0.1 watt thermal.

B. *Technical specifications.* The Technical Specifications contained in Appendix A of this license (hereinafter "the Technical Specifications") are hereby incorporated in the license. The licensee shall operate the reactor only in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in § 50.59 of 10 CFR Part 50.

C. *Reports.* In addition to reports otherwise required under this license and applicable regulations:

(1) The licensee shall inform the Commission of any incident or condition relating to the operation of the reactor which prevented or could have prevented a nuclear system from performing its safety function as described in the Technical Specifications or in the safety analysis report. For each such occurrence, the licensee shall promptly notify by telephone or telegraph the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of 10 CFR 20 and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing, with a copy to the Regional Compliance Office.

(2) The licensee shall report to the Commission in writing within 30 days of its observed occurrence any substantial variance disclosed by operation of the reactor from performance specifications contained in the safety analysis report or the Technical Specifications.

(3) The licensee shall report to the Commission in writing within 30 days of its occurrence any significant change in transient or accident analysis, as described in the safety analysis report.

D. *Records.* In addition to those otherwise required under this license and applicable regulations, the licensee shall keep the following records:

(1) Reactor operating records, including power levels.

(2) Records of in-pile irradiations.

(3) Records showing radioactivity released or discharged into the air or water beyond the effective control of the licensee as measured at the point of such release or discharge.

(4) Records of emergency shutdown and inadvertent scrams, including reasons for emergency shutdowns.

4. This license is effective as of the date of issuance and shall expire at midnight, September 9, 1984.

Date of issuance: April 27, 1967.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

Enclosure: Appendix A, Technical Specifications.

APPENDIX A

APRIL 27, 1967.

1.0 *Reactor Core.*

1.1 The excess reactivity with no experiments in the reactor and the control and safety rods fully inserted shall not exceed 0.005Δk/k.

1.2 The reactor shall not be operated unless the core tank is sealed.

2.0 *Control and Instrumentation Systems.*

2.1 The fine control rod, the coarse control rod, and the two safety rods shall be operable and the carriage position of the control rods shall be displayed at the console whenever any rod is above its lower limit.

2.2 The worths of the control and safety rods shall preclude criticality by the insertion of a single rod and ensure subcriticality on the withdrawal of the coarse control or any one safety rod.

2.3 During reactor operation each of the instrumentation channels in Table I must be operative with the exception that safety channels 1 or 3 may be bypassed. Each of these channels must cause reactor scram and alarm if the operating limit is reached.

2.4 A manual scram shall be provided on the reactor console and the safety circuitry shall be designed so that no single failure can negate both the automatic and manual scram capability.

2.5 The water in the shield water tank shall be no more than 7 inches from the top of the shield water tank during reactor operation.

3.0 *Experimental Limitations.*

3.1 The reactivity worth of experiments loaded into the reactor shall be limited so that the sum of all experiments with positive reactivity contributions shall not exceed 0.15 percent Δk/k.

3.2 All samples or experiments shall be doubly encapsulated and ensured leak tight if release of the contained materials could cause corrosive attack to the facility, excessive contamination, or chemical reactions that could possibly affect reactor safety.

3.3 No experiments shall be introduced into the core tank. No explosives or capsules containing materials which might combine violently shall be irradiated in the reactor.

4.0 *Surveillance Requirements.*

4.1 The safety system equipment listed in Table I shall be checked for calibration and proper condition at least semiannually.

4.2 The excess reactivity and control rod worths shall be measured at least annually.

4.3 The coarse control rod and the two safety rods shall be removed from the reactor and checked for proper operation at least annually.

4.4 The requirements of this Section are waived if the reactor has not been brought critical during the specified test intervals. However, the requirements must be fulfilled prior to subsequent startup of the reactor.

5.0 *Administrative Requirements.*

5.1 *Organization.*

(a) An operating organization shall be established which shall review, approve, and promulgate all procedures and practices governing facility operations and facility modifications. This organization shall also provide for continuing review of operations, equipment performance, records and procedures.

(b) A reactor safety committee shall be established which shall review and approve all proposed modifications affecting reactor safety, and general and specific types of experiments and procedures. This committee shall conduct periodic audits of operations, equipment performance, records and procedures. The committee shall contain at least two members who are not in the operating organization.

(c) A radiological safety officer shall be appointed to review and approve all procedures and experiments on radiological safety. He shall enforce rules, regulations and procedures relating to radiological safety, and conduct routine radiation surveys. He may be a member of the operating organization provided that his duties do not also include the overall responsibility for facility operations.

5.2 *Procedures.*

(a) Detailed written procedures shall be provided for operation of the reactor and supporting facilities, maintenance operations, radiation protection, experiments, and emergency operations. These procedures shall be approved by the reactor safety committee prior to implementation.

(b) Temporary procedures which do not change the intent of the initial approved procedures may be authorized on approval by two members of the operating organization, at least one of whom shall be a licensed senior operator. Such procedures shall be subsequently reviewed by the reactor safety committee.

5.3 *Records*—The reactor records shall contain routine data regarding reactor operation including routine component replacement and calibration, the action of operators and experimenters, descriptions of all facility modifications, and details of any abnormalities and the corrective actions taken.

TABLE I

Condition	Channel	Operating limit
High power/low power.	Nuclear Safety No. 1, 2, 3	200 percent of licensed power/ sensitrol off scale.
Short reactor period.	Nuclear Safety No. 2.	5-second period.

[F.R. Doc. 67-5009; Filed, May 4, 1967; 8:45 a.m.]

CIVIL SERVICE COMMISSION

SOCIAL ADMINISTRATION ADVISOR, VOCATIONAL REHABILITATION ADMINISTRATION

Notice of Manpower Shortage

Under the provisions of 5 U.S.C. 5723 the Civil Service Commission has found, effective April 28, 1967, that there is a manpower shortage for the position of Social Administration Advisor, GS-102-15 (Chief, Division of Research and Training Centers). The position is in the Vocational Rehabilitation Administration, Department of Health, Education, and Welfare, Washington, D.C.

This authorization will terminate automatically when the position is filled. The appointee to this position may be paid for the expense of travel and transportation to the first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] DAVID F. WILLIAMS,
Director, Bureau of Management Services.

[F.R. Doc. 67-5011; Filed, May 4, 1967; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 17302, 17303; FCC 67M-721]

BELL TELEPHONE COMPANY OF PENNSYLVANIA AND CONESTOGA TELEPHONE AND TELEGRAPH CO.

Order Rescheduling Hearing

In re applications of The Bell Telephone Co. of Pennsylvania, Docket No. 17302, File No. 1688-C2-P-66, for a construction permit to modify the facilities of Station KGA585 in the Domestic Public Land Mobile Radio Service at Philadelphia, Pa.; The Conestoga Telephone and Telegraph Co., Docket No. 17303, File No. 679-C2-P-66, for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio Service near Boyertown, Pa.

Upon the Hearing Examiner's own motion: *It is ordered*, That the evidentiary hearing herein now scheduled for July 6, 1967, be and the same is hereby rescheduled for June 20, 1967, 10 a.m., in the Commission's offices, Washington, D.C.

Issued: April 28, 1967.

Released: May 1, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5046; Filed, May 4, 1967; 8:48 a.m.]

[Docket No. 16792; FCC 67M-720]

CITY OF CAMDEN, N.J., AND L & P BROADCASTING CORP.

Memorandum Opinion and Order Continuing Hearing

In re application of City of Camden (assignor) and L & P Broadcasting Corp. (assignee); Docket No. 16792, File No. BAL-5702; for assignment of license of Station WCAM, Camden, N.J.

1. The Hearing Examiner has under consideration the petition for continuance without date, as supplemented, filed on April 17, 1967 by L & P Broadcasting Corp.; the opposition thereto

filed by the city of Camden; and the comments of the Broadcast Bureau with reference to the said petition. Basis for the requested continuance is the filing by assignee in the Superior Court of New Jersey, Law Division-Camden County, of a civil action for declaratory ruling looking toward recision of the contract which action will be taken by the assignee in the event of a favorable ruling. Petitioner asserts that ruling can be expected by August 1, 1967, and in its opposition, city of Camden states that "probability of the * * * action being decided at the trial level prior to August 1, 1967, exists." The opposition sets forth, however, "that if the unsuccessful party were to pursue its rights of appeal to both the Superior Court, Appellate Division, and ultimately to the New Jersey Supreme Court, the time anticipated * * * until the ultimate resolution of such appeals would be approximately two (2) years from date." The city of Camden, for this reason opposes the requested continuance, but makes no statement whether it would pursue its rights of appeal if it is unsuccessful in the action. By its opposition the city of Camden also states that since an early date in February of 1967, it has been actively engaged in a program of attempting to arouse interest among others to bid on the station facility, but without success. By its comments, the Broadcast Bureau opposes the request for continuance without date, but asserts that good cause has been shown for a continuance to dates certain in September of 1967. Good cause is alleged to be present "for the reason that if L & P Broadcasting is successful in its lawsuit against the city of Camden the contract between the parties for sale of Station WCAM would be terminated and this proceeding would be moot." The proposed September dates are predicated on the expected date of conclusion at the trial level of the said Superior Court proceeding.

2. Good cause is present for grant of a continuance as proposed by the Broadcast Bureau. Such continuance will afford the city of Camden additional time for seeking other purchasers of the facility and will afford time for disposition of the Superior Court proceeding and a determination at the trial level whether the contract can be rescinded by transferee. There is no indication by either party that an adverse decision would be appealed and such determination is normally impractical until the basis of the trial court's decision is determined. The period suggested by the Broadcast Bureau should permit resolution of these questions and on the basis thereof, a determination of whether further proceedings before the Federal Communications Commission would serve a useful purpose.

Accordingly, it is ordered, That the said petition for continuance is denied insofar as it seeks a continuance without date; and

It is further ordered, That the date for exchange of exhibits herein is continued from May 1, 1967, to September 5, 1967; the date for giving notification of witnesses to be called for cross-examination is continued from May 10, 1967, to September 11, 1967; and the date for commencement of hearing is continued from May 17, 1967, to September 18, 1967, commencing at 10 a.m. in the offices of the Commission at Washington, D.C.

Issued: April 27, 1967.

Released: May 1, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5047; Filed, May 4, 1967; 8:48 a.m.]

[Docket Nos. 17056, 17057; FCC 67R-167]

COSMOS CABLEVISION CORP. AND AIKEN CABLEVISION, INC.

Memorandum Opinion and Order Enlarging Issues

In re applications Cosmos Cablevision Corp., North Augusta, S.C., Docket No. 17056, File No. CATV 100-1; Aiken Cablevision, Inc., Aiken, S.C., Docket No. 17057, File No. CATV 100-19; for authority pursuant to § 74.1107 to operate CATV systems in North Augusta and Aiken, S.C.

1. Both Cosmos Cablevision Corp. (Cosmos) and Aiken Cablevision, Inc. (Aiken), seek CATV systems, Cosmos to operate in North Augusta, S.C., proposing to carry, in addition to the two Augusta VHF stations, the distant signals of the three network affiliates in Columbia, S.C., and the new educational station on Channel 35 in Columbia when it became operative; Aiken to operate in Aiken, S.C., proposing to carry the Augusta station, the three network affiliates from Columbia, the three network stations from Charleston, S.C., and the two network stations from Savannah, Ga. Both North Augusta and Aiken are in the Augusta, Ga., television market.[1] Both applicants had filed petitions (Cosmos on Mar. 11, 1966; Aiken on Apr. 29, 1966), requesting the Commission to waive the hearing requirements of § 74.1107(a) in order to permit them to carry distant signals into their respectively designated communities, contending[2] that they had substantially constructed at considerable expense their respective CATV proposal before February 15, 1966, and that they were therefore entitled to "grandfather" protection.[3] In the designation order herein, FCC 66-1161, released January 4, 1967, the Commission denied the respective petitions, holding that "the long-range design of the top-100 market rule—the preservation of UHF potential—outweighs the immediate attraction" of "supplying of full network services and of South Carolina stations"; that "[t]his is especially so where, as here, there is active UHF interest and the CATV proposals would commence operation within the very area which new UHF stations will have to rely upon most heavily for economic support"; and that "such equities as may be urged from the substantial expenditures by petitioners cannot balance out the uncertainties their proposals hold for the public interest in a healthy broadcast structure." The Commission designated both applications for hearing upon various issues.

2. In its present petition to enlarge and modify issues, filed January 23, 1967,[4] Cosmos, supported by Aiken, requests that the Review Board modify issue 1[5] to include only the penetration and extent of petitioners' CATV services in the Augusta market; and to add the following issues:

(a) To determine whether the proposed CATV services in North Augusta and Aiken, S.C. are consistent with the community needs and desires for reception of programs from television broadcast stations oriented to coverage of South Carolina public affairs and events.

(b) To determine broadcast revenues, expenses and income for the Augusta television market, and potential revenues available to UHF stations.

(c) To determine the actual expenditures and physical development of the CATV systems in Aiken and North Augusta, S.C., prior to February 15, 1966.

(d) To determine the sufficiency of Commission notice and applicability of the February 15, 1966, cutoff date with respect to petitioners' CATV systems in view of the extensive development of each system prior to April 23, 1965, and February 15, 1966.

Cosmos also requests that the burden of proceeding and burden of proof as to requested Issue (b), above, be placed upon respondents.

3. In support of its request to limit Issue 1 (see note 5, supra), Cosmos contends that the issue as framed would require it to adduce evidence regarding present and proposed CATV operations

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[1] Since Augusta is one of the Nation's 100 largest television markets (ranked 96th), neither applicant may carry distant signals in their respective proposed CATV systems without prior Commission approval based upon a full evidentiary hearing. See § 74.1107(a).

[2] Each applicant also contended that its proposal would for the first time bring to the Augusta market the full range of network services and would make available home-State television reception. Oppositions were filed by the licensees of the two Augusta stations, contending essentially that the communities involved are an important part of the station's service area and that no showing had been made with respect to potential impact of the proposed CATV operations upon the existing and potential Augusta stations.

[3] See § 74.1107(d) as to the "grandfather" rights of an existing CATV system with respect to signals carried by the system on Feb. 15, 1966.

[4] Also before the Board are the following pleadings: (a) Opposition, filed Feb. 3, 1967, by Rust Craft Greeting Cards, Inc. (Rust Craft); (b) comments (in support of the foregoing petition), filed Feb. 1, 1967, by Aiken; (c) Broadcast Bureau's comments, filed Feb. 8, 1967; (d) reply, filed Feb. 17, 1967, by Cosmos; and (e) erratum, filed on Feb. 15, 1967, by the Broadcast Bureau.

[5] Issue 1 reads as follows: "To determine the present and proposed penetration and extent of CATV service in the Augusta market."

in an area encompassing 150,000 square miles, including 125 communities; and that such a requirement is "inequitable, unreasonable, and highly conjectural." As pointed out by the Bureau, in its comments, petitioner does not allege facts sufficient to warrant the action requested, as required by § 1.229 of the rules. Moreover, existing Issue 2 [4] cannot be resolved without the information called for under 1, and we agree with Rust Craft that unless the full showing contemplated under Issue 1 is made, there can be no meaningful determination of the impact of CATV service on the Augusta television market.

4. In support of requested Issue (a), Cosmos submits that there is a strong desire from North Augusta officials for the reception of South Carolina programing, which is not now received in North Augusta; that to deny residents of a State access to their own State's stations in order to protect the stations of another State (Georgia) raises serious public interest questions; and that the Commission has recognized the importance of in-State service in the Second Report and Order in Docket Nos. 14895, 15223, and 15971, 2 FCC 2d 725 (1966). Rust Craft, in opposition, argues that the need for in-State programing, while relevant to petitioner's original request for waiver of § 74.1107, is not relevant to the basic issue to be decided at the hearing—the economic impact of the proposed CATV on existing and future television development; that the Commission's concern for in-State programing in the Second Report and Order referred only to existing CATV systems proposing to carry distant signals, not to proposals for new CATV systems; and that, in any event, the existing Augusta stations are meeting the needs and interests of the residents of North Augusta.

5. As pointed out by the Broadcast Bureau in its comments, the in-State feature of Cosmos' proposal was considered by the Commission in the designation order (see par. 1, supra) and rejected as a basis for waiving § 74.1107 of the rules. However, the fact that this feature was not an adequate basis for waiving the hearing requirement contained in § 74.1107 does not mean that it is not a relevant factor in resolving the ultimate public interest question after the hearing has been held. As stated by the Commission in the Second Report and Order, supra, "[c]onsiderations of this nature [in-State programing] will be accorded substantial weight as a basis for waiver of the carriage provisions." We fail to perceive any valid distinction between such waivers for existing CATV operations and proposed CATV operations, as suggested by Rust Craft; and we cannot, on the basis of the pleadings, resolve the question of need for the proposed CATV services. Accordingly, an issue will be specified under which this matter can be explored.

6. We agree with Rust Craft and the Bureau that existing Issue 2 (see note 6, supra) is broad enough to encompass the information sought to be elicited by Cosmos under its requested Issue (b), and we find no basis for shifting the burden of going forward with the evidence or the burden of proof away from the applicants. WLCY–TV, Inc., FCC 67–101, released January 27, 1967, cited by Cosmos in its reply, is inapposite here. In that case, which involved an application to relocate the transmitter site of a television station, the burden of proceeding under an economic impact issue was placed upon existing television stations which raised the question in petitions to deny. According to section 309(e) of the Communications Act, this alternative was open to the Commission since the issue was presented by a petition to deny. Here, on the other hand, the economic impact issue was not presented by a petition to deny. Pursuant to section 309(e) of the Act and section 7(c) of the Administrative Procedure Act, the burden was properly placed upon the applicants.

7. In support of requested Issues (c) and (d), Cosmos alleges that the applicants had spent substantial sums of money developing their systems prior to April 23, 1965, when the Commission issued its Notice of Inquiry and Proposed Rulemaking in Docket No. 15971, 1 FCC 2d 453; that by February 15, 1966, the cutoff date for "grandfathering" existing CATV systems carrying distant signals, the applicants had invested more money and their systems were in "operational status"; and that the economic viability of CATV systems should be in issue. Cosmos further alleges that the April 23, 1965, notice was legally deficient; and, in any event, that Augusta did not fall within the description of "major markets" contained in that notice. We do not regard petitioner's allegation that substantial sums of money were expended before it received notice as sufficient to warrant the addition of hearing issues. No showing has been made that these expenditures are relevant to the public interest determination, or even that petitioner's investment would be lost in the event that the requested waiver is denied.[5] Thus, we need not determine whether the economic viability of CATV systems may be a relevant consideration in this proceeding, since Cosmos' allegations fall far short of establishing a basis for an issue inquiring into this matter. With regard to notice, the legal sufficiency of the Commission's notice of the cutoff date has been treated by the Commission in various documents and need not be repeated here. It is true that paragraph 49 of the Commission's April 1965 notice, which referred to the action to be taken while the proceeding was pending, could be construed so as not to encompass the city of Augusta.[6] However, in paragraph 48 of the notice, which set forth the areas of further inquiry, the Commission stated that [s]uch areas include not only communities with four or more commercial channel assignments but also those areas where any new station would rely very substantially upon independent programing sources * * *." Since Augusta, at that time, had four channels assigned to it, we do not believe that Cosmos can validly complain that it had no notice that the Commission's future action might affect its proposal, cf. memorandum opinion and order, FCC 66–456, 3 FCC 2d 816, 825.

Accordingly, it is ordered, This 25th day of April 1967, that the petition to enlarge and modify the issues, filed by Cosmos Cablevision Corp. on January 23, 1967, is granted to the extent indicated below; that said petition is denied in all other respects; and that the issues in this proceeding are enlarged by the addition of the following issue: To determine whether there are unsatisfied needs in North Augusta and Aiken, S.C. for in-State television programing; and, if so, the extent to which the applicants' proposed CATV services would meet those needs for their respective communities.

The burden of proceeding and the burden of proof under the added issue will be on the applicants for their respective communities.

Released: May 1, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67–5049; Filed, May 4, 1967; 8:48 a.m.]

[Docket Nos. 17405, 17406; FCC 67–508]

HARTFORD COUNTY BROADCASTING CORP. AND CENTRAL CONNECTICUT BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Hartford County Broadcasting Corp., New Britain, Conn., Docket No. 17405, File No. BPH–5488, Requests: 100.5mc, No. 263; 20kw; 135 ft.; The Central Connecticut Broadcasting Co., New Britain, Conn., Docket No. 17406, File No. BPH–5489, Requests: 100.5mc, No. 263; 10kw; 931 ft.; for construction permits.

1. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 26th day of April 1967;

2. The Commission has under consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

[4] Existing Issue 2 inquires into "the effects of current and proposed CATV service in the Augusta market upon existing, proposed, and potential television broadcast stations in the market."

[5] As stated by the Commission in its memorandum opinion and order, FCC 66–456, 3 FCC 2d 816, denying petitions for stay of the second report and order, "section 74.1104 does not preclude, or require a hearing for, construction or the commencement of operations limited to local signals or any other service not involving the carriage of distant broadcast signals." 3 FCC 2d at 826.

[6] Par. 49 refers to communities with four or more commercial channel assignments and three or more stations in operation; or with at least two stations in operation and one or more stations authorized or applied for.

3. Hartford County Broadcasting Corp. previously held a construction permit for this channel. This permit, however, was deleted after its application for extension of the permit was denied for lack of diligence in proceeding with construction. In this connection, Hartford County now commits itself to expeditious construction and states that it is willing to accept a grant conditioned on completion of construction within 120 days following grant. We have concluded that an issue is required to determine whether, in light of its past lack of diligence, Hartford County can be relied upon to complete construction promptly. If Hartford County is found qualified, this evidence may be considered under the standard comparative issue.

4. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the proposals. Consequently, for the purposes of comparison, the areas and populations within the 1 mv/m contours together with the availability of other FM services of 1 mv/m or greater intensity in such areas will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to either of the applicants.

5. Except as indicated below, the applicants are qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity, as is of the opinion that the applications must be designated for hearing on the issues set forth below.

It is further ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether in light of its past lack of diligence Hartford County can be relied upon to complete construction of the proposed station in a prompt and expeditious manner.

2. To determine, if issue one is resolved in Hartford County's favor, which of the proposals would better serve the public interest.

3. To determine in the light of the evidence adduced pursuant to the foregoing issues, which of the applications for construction permit should be granted.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: May 2, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 67-5050; Filed, May 4, 1967; 8:48 a.m.]

[Docket Nos. 17029, 17030; FCC 67R-174]

RUSSEL SHAFFER AND INTERNATIONAL ELECTRONIC DEVELOPMENT CORP.

Memorandum Opinion and Order Enlarging Issues

In re applications of Russel Shaffer, Boulder, Colo., Docket No. 17029, File No. BPH-5337; International Electronic Development Corp., Boulder, Colo., Docket No. 17030, File No. BPH-5432.

1. This proceeding involves two mutually exclusive applications to establish new FM broadcast stations at Boulder, Colo., operating on Channel 234 (94.7 mc/s). By order, released December 6, 1966 (Mimeo No. 93013), the applications were designated for hearing on a standard comparative issue. The Environmental Science Services Administration (ESSA) of the Department of Commerce, on January 9, 1967, filed a petition to intervene, contending that there is a reasonable likelihood that the proposed operation of either applicant may cause excessive interference and/or impair the usefulness of its Table Mountain facility. By order, released January 24, 1967 (FCC 67M-119), the Hearing Examiner granted ESSA's petition to intervene and made it a party to the proceeding, on the condition that an issue or issues are added relating to the alleged interference that would be caused to the Table Mountain operation. International Electric Development Corp. (International), on January 25, 1967, filed a petition for reconsideration of the Hearing Examiner's Order; and the Examiner, by order released February 15, 1967 (FCC 67M-254), reaffirmed his previous order.

2. Presently before the Review Board is a motion to enlarge issues, filed by ESSA on February 24, 1967, requesting an issue to determine whether the proposed FM stations would cause interference to its Table Mountain operation.[1a] In support of its request, ESSA alleges that the Table Mountain site is used by the Institute for Telecommunication Sciences and Aeronomy as part of the studies in telecommunication science and central Federal program of research and service in radio propagation and radio atmospheric studies; that the activities performed there are vital to questions of future use of electromagnetic waves, which are also of interest to the Federal Communications Commission, Director of Telecommunications Management and the Department of Defense; that its research and measurement activities employ reception of signals in many portions of the radio spectrum, including FM and TV broadcasting bands and the bands adjacent and harmonically related thereto; and that strong signals could cause objectionable interference to the reception of desired signals from highly sensitive receivers because of inherent characteristics of the receivers' components, as well as by spurious radiation of signal from broadcasting transmitters. ESSA's engineering affidavit indicates that International's proposal would place a signal of 127 mv/m at the Table Mountain site, and that Russel Shaffer's proposal would place a signal of 11 mv/m, both of which exceed ESSA's criterion of 10 mv/m. With regard to the requirement that petitions to enlarge issues must be filed within 15 days after the issues have first been published in the FEDERAL REGISTER,[2] ESSA submits that the 15-day period should not begin to run until its petition to intervene was granted, and since the order granting intervention was not reaffirmed until February 15, 1967, its motion is timely. In any event, ESSA argues, good cause for the delay exists because its petition to intervene was timely filed, it was in the process of preparing the motion to enlarge when intervention was sought, and the delay in filing the petition to enlarge was occasioned by the need for technical computations and measurements in connection with its engineering affidavit. The Broadcast Bureau supports ESSA's request.

3. International, in opposition, contends that the 15-day period commences to run against parties, intervenors, and potential intervenors the day the hearing order appears in the FEDERAL REGISTER,[3] and that ESSA's motion is therefore 59 days late. The ESSA contention that the delay in filing was occasioned by the need for technical computations and measurements, International alleges, is not an adequate showing of good cause, and that the technical study should have been included in the petition for intervention. International points out that ESSA neither participated in the rule-making proceeding leading to the assignment of FM channels to Boulder nor did it evidence any interest in the Commission's public notice of the filing of two applications, but waited until the

[1] Commissioner Lee absent.

[1a] Also before the Review Board are: (a) opposition of International Electronic Development Corp., filed Apr. 10, 1967; (b) Broadcast Bureau's statement, filed Apr. 10, 1967; and (c) reply to opposition filed Apr. 20, 1967, by ESSA.

[2] Sec. 1.229 of the Rules.

[3] See Charlottesville Broadcasting Corp., 1 FCC 2d 1323, 6 RR 2d 744 (1965); and Kenosha Broadcasting, Inc., FCC 61R-1103, 22 RR 97.

adjudicatory proceeding had begun before asserting its alleged need for protection. International's engineering affidavit indicates that if the existing FM Station KRNW in Boulder were to operate as a maximum Class C facility, it would greatly exceed the ESSA criteria; that TV channels 12 and 14 are assigned to Boulder, and ESSA has not objected; that there is one standard broadcast and four television stations now placing signals in excess of ESSA's maximum tolerable field strength criteria at the Table Mountain site; and that there are six Class C FM broadcast and two VHF television stations which could place signals in excess of 10 mv/m at Table Mountain if they were to operate at maximum facilities. Thus, International concludes, the subject petition is procedurally defective and ESSA has not established a "substantial likelihood" of proving its allegations.

4. We agree with International that the requirements of § 1.229 apply to intervenors as well as other parties, and the fact that an intervenor did not enter a proceeding until after the time for filing a motion to enlarge issues had elapsed does not toll the running of the 15 days specified by the rule. However, the cases cited by International (see note 3, supra) also make it clear that this factor is to be considered in determining whether good cause for late filing is present. In resolving this close question, we find it significant that ESSA's right to intervene in this proceeding was not definitely decided until February 15, 1967,[1] and the subject petition was filed 9 days later. This fact, considered in light of ESSA's explanation that the delay was occasioned by technical difficulties and the serious public interest question raised in the petition, persuades us that good cause for the late filing exists. As to the merits of the request, it appears that ESSA is attempting to limit the number of high level signals which could result in harmful interference to its research programs. It acknowledges the existence of a number of signals which already exceed its criteria. However, as revealed in International's affidavit, these signals are not as high as the one International's proposal would place (127 mv/m as compared to 30 mv/m of Station KLZ–TV, Denver, Colo.) over the Table Mountain site; and there has been no allegation refuting the alleged adverse effect of these signals upon the research programs. We are therefore of the opinion that an issue inquiring into this matter is warranted.

Accordingly, it is ordered, That the motion to enlarge issues, filed on February 24, 1967, by the Environmental Science Services Administration, Department of Commerce, is granted; and that the issues in this proceeding are enlarged by the addition of the following issue: To determine whether the proposals of Russel Shaffer and International Electronic Development Corp. would cause interference to the operation of the Environmental Science Services Administration's facilities at Table Mountain, Colo.; and, if so, whether such interference would impair the usefulness of that facility.

The burden of proceeding with the introduction of evidence under the added issue will be on the petitioner herein, and the burden of proof will be on the applicants for their respective proposals.

Adopted: April 27, 1967.

Released: May 2, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5051; Filed, May 4, 1967; 8:48 a.m.]

[Docket No. 16674; FCC 67M-701]

SANTA ROSA BROADCASTING CO., INC.

Order Continuing Prehearing Conference

In the matter of revocation of license of Santa Rosa Broadcasting Co., Inc., for standard broadcasting station WSRA, Milton, Fla., Docket No. 16674.

On the Examiner's own motion: *It is ordered*, That the prehearing conference now scheduled for May 11, 1967, is continued to May 19, 1967.

Issued: April 26, 1967.

Released: April 28, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5052; Filed, May 4, 1967; 8:48 a.m.]

[Docket Nos. 17409, 17410; FCC 67-515]

SHURTLEFF-SCHORR BROADCASTING CORP. AND CORNBELT BROADCASTING CORP.

Order Designating Applications for Consolidated Hearing on Stated Issues

In reapplications of Shurtleff-Schorr Broadcasting Corp., Lincoln, Nebr., Docket No. 17409, File No. BPH–5106, requests: 107.3 mc, No. 297; 100 kw(H); 34.29 kw(V); 109 ft.; and Cornbelt Broadcasting Corp., Lincoln, Nebr., Docket No. 17410, File No. BPH–5424, requests: 107.3 mc, No. 297; 50 kw; 205 ft.; for construction permits.

1. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 26th day of April 1967;

2. The Commission has under consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

3. Consideration of the programing proposals is required because of the substantial and material difference between the proposals in the amount of AM programing to be duplicated. Shurtleff-Schorr proposes to duplicate 50 percent of the time while Cornbelt proposes to duplicate only about 17.21 percent of the time. Therefore, programing evidence will be admissible under the standard comparative issue.

4. Since the transmitter Shurtleff-Schorr proposes to use is not type accepted, if its application is granted, a condition regarding submission of type acceptance data will be attached.

5. Each of the applicants is qualified to construct and operate as proposed. However, because of their mutually exclusivity, the Commission is unable to make a statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine which of the proposals would better serve the public interest.

2. To determine in the light of the evidence adduced pursuant to the foregoing issue, which of the applications for construction permit should be granted.

It is further ordered, That, in the event of a grant of the application of Shurtleff-Schorr Broadcasting Corp., the construction permit shall contain the following condition: Permittee shall submit sufficient data in accordance with § 73.250 of the Commission's rules for type acceptance of its transmitter.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicant, pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594 of the rules.

Released: May 2, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5053; Filed, May 4, 1967; 8:49 a.m.]

[1] International's petition for reconsideration of the Examiner's initial order permitting intervention was filed 1 day after that order was released.

[2] Commissioners Lee and Wadsworth absent.

[Canadian Change List 225]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignments

APRIL 17, 1967.

Notification under the provision of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignment of Canadian Broadcast Stations modifying Appendix containing Assignments of Canadian Stations (Mimeograph No. 47214–3) attached to the Recommendation of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CKDA (notification is for change in location and increased power from that notified on List No. 216).	Victoria, B.C.	*1220 kilocycles/s* 50kw	DA-1	U	II	EIO. 4-15-68.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5048; Filed, May 4, 1967; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

REDERIAKTIEBOLAGET CLIPPER ET AL.

Security for Protection of Public; Indemnification of Passengers for Nonperformance of Transportation

Notice is hereby given that pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20 (46 CFR Part 540) that a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation has been issued to the following (all effective on May 5, 1967):

Rederiaktiebolaget Clipper (Clipper Steamship Co.) (Clipper Line), Certificate No. P-2.
Oceania S.A. (Chandris Lines), Certificate No. P-3.
The Peninsular & Occidental Steamship Co. (P & O Steamship Co.), Certificate No. P-4.
Klosters Rederi A/S, Certificate No. P-5.
Victoria Steamship Co., Ltd. (Incres Line), Certificate No. P-6.
Compagnie Generale Transatlantique (French Line), Certificate No. P-7.
Norddeutscher Lloyd (North German Lloyd) (NDL, NGL), Certificate No. P-8.
Holland-Amerika Linjn, N. V. Nederlandsch-Amerikaansche Stoomvaart-Maatschappij (Netherlands American Steamship Co.) (Holland-America Line), Certificate No. P-9.
N. V. Mailschip Rotterdam (Mailship Rotterdam, Inc.) (Holland-America Line), Certificate No. P-10.
Jugoslavenska linijska plovidba—Rijeka (Yugoslav Lines) (Jugolinija) (Yugoline), Certificate No. P-11.
The New Zealand Shipping Co., Ltd., Certificate No. P-12.
United States Lines, Inc. (United States Lines), Certificate No. P-13.
Giacomo Costa Fu Andrea (Costa Line) (Linea "C"), Certificate No. P-14.
Europa-Canada Linie G.m.b.H., Bremen (Europe-Canada Line) (ECL Shipping Co.), Certificate No. P-15.
Aktiebolaget Svenska Amerika Linien (Swedish American Line), Certificate No. P-16.
Alaska Cruise Lines, Ltd., Certificate No. P-17.
"Italia" Societa' Per Azioni Di Navigazione ("Italia" Steamship Corp.) (Italian Line), Certificate No. P-18.
Den norske Amerikalinje A/S (Norwegian America Line), Certificate No. P-19.
The Cunard Steam-Ship Co., Ltd. (Cunard), Certificate No. P-20.
Evangeline Steamship Co., S.A., Certificate No. P-21.
Companhia Colonial de Navegacao (C.C.N. The Portuguese Line), Certificate No. P-22.
Home Lines, Inc. (Home Lines), Certificate No. P-23.
Matson Navigation Co./The Oceanic Steamship Co. (Matson Lines), Certificate No. P-24.
Delta Steamship Lines, Inc. (Delta Line), Certificate No. P-25.
American Export Isbrandtsen Lines, Inc., Certificate No. P-26.
Compagnie Francaise de Navigation (Paquet Lines), Certificate No. P-27.
Transoceanic Navigation Corp. (Greek Line), Certificate No. P-28.
Transatlantic Shipping Corp. (Greek Line), Certificate No. P-29.
American President Lines, Ltd. (APL), Certificate No. P-30.
The Chesapeake and Ohio Railway Co., Certificate No. P-31.
Zim Israel Navigation Co., Ltd. (Zim Line), Certificate No. P-32.
Themistocles Navegacion S.A. (National Hellenic American Line), Certificate No. P-33.
Grace Line, Inc., Certificate No. P-34.
Moore-McCormack Lines, Inc., Certificate No. P-35.
Compania Transatlantica Espanola, S.A. (Spanish Line), Certificate No. P-36.
The Peninsular and Oriental Steam Navigation Co. (P & O Lines), Certificate No. P-37.
State of Alaska, Certificate No. P-38.

Dated: May 1, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-5042; Filed, May 4, 1967; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 611]

MISSOURI

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1967, because of the effects of certain disasters, damage resulted to residences and business property located in Sullivan County, in the State of Missouri;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about April 22, 1967.

OFFICE

Small Business Administration Regional Office, 911 Walnut Street, Kansas City, Mo. 64106.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1967.

Dated: May 1, 1967.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 67-5032; Filed, May 4, 1967; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CS67-74 etc.]

MRS. R. G. BEACH ET AL.

Notice of Applications for "Small Producer" Certificates [1]

APRIL 28, 1967.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

interstate commerce from the Permian Basin area of Texas and New Mexico, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 22, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No.	Date Filed	Name of Applicant
CS67-74	4-14-67	Mrs. R. G. Beach, 4 Sycamore Circle, Windsor, Conn. 06095.
CS67-75	4-14-67	Wm. C. & Theodosia M. Nolan, d.b.a. Munoco Co., c/o J. C. Harris, C.P.A., 308 Murphy Bldg., El Dorado, Ark. 71730.
CS67-76	4-17-67	C.B.A., Inc., Post Office Box 7305, Kansas City, Mo. 64116.
CS67-77	4-17-67	McAlester Fuel Co., c/o Charles Dillard, vice president, Post Office Box 10, Magnolia, Ark. 71753.
CS67-78	4-17-67	J. M. Welborn, 404 Great Plains Bldg., Lubbock, Tex. 79401.
CS67-79	4-17-67	Jack Markham, 404 Great Plains Bldg., Lubbock, Tex. 79401.
CS67-80	4-17-67	John J. Christmann, 404 Great Plains Bldg., Lubbock, Tex. 79401.
CS67-81	4-17-67	J. D. Hunter, trustee, 402 Midland National Bank Bldg., Midland, Tex. 79701.
CS67-82	4-17-67	Petroleum Exploration, Inc., of Texas, Post Office Box 2009, Amarillo, Tex. 79105.
CS67-83	4-18-67	A. R. Eppenauer, Post Office Box 278, Marfa, Tex.
CS67-84	4-20-67	Rutter & Wilbanks Bros. (Operator) et al., 500 North Big Spring St., Midland, Tex. 79701.
CS67-85	4-21-67	U.S. Smelting, Refining & Mining Co. c/o J. V. Neuman, Jr., vice president, Post Office Box 1980, Salt Lake City, Utah 84110.

[F.R. Doc. 67-5016; Filed, May 4, 1967; 8:45 a.m.]

[Docket No. CP67-303]

TENNESSEE GAS PIPELINE CO.

Notice of Application

APRIL 27, 1967.

Take notice that on April 21, 1967, Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Applicant), Post Office Box 2511, Houston, Tex. 77001, filed in Docket No. CP67-303 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of quantities of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to deliver to Algonquin Gas Transmission Co. (Algonquin) up to 8,160 Mcf of natural gas per day through an existing connection between their respective pipeline systems near Mahwah, N.J., for the account of Central Hudson Gas and Electric Co. (Central). Algonquin will then transport and deliver equal quantities of natural gas to Central at a point of connection at Somers, N.Y. Applicant states that Central is an existing customer and that Central will accept the natural gas into its system for distribution and consumption by the ultimate consumer.

Applicant also states that it will not be required to construct any new facilities to render the proposed service nor will the rendering of said service jeopardize its ability to render service presently authorized for its existing customers.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before May 25, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5017; Filed, May 4, 1967; 8:45 a.m.]

[Docket No. E-7349]

WISCONSIN PUBLIC SERVICE CORP.

Notice of Application

APRIL 28, 1967.

Take notice that on April 17, 1967, Wisconsin Public Service Corp. (Applicant) filed an application with the Federal Power Commission seeking an order pursuant to section 203 of the Federal Power Act authorizing it to purchase certain electric utility distribution system properties of the city of Kewaunee, Wis.

Applicant is incorporated under the laws of the State of Wisconsin and has its principal place of business in Milwaukee, Wis. Applicant owns and operates utility properties and furnishes electric service to customers in 22 counties in Wisconsin and one county in Michigan. Applicant makes sales of electric energy at wholesale to nine municipally owned electric distribution utilities including present sales to the municipally owned electric distribution system in the city of Kewaunee. The city of Kewaunee is engaged in the distribution of electric energy to approximately 1,100 customers in the city of Kewaunee, Kewaunee County, Wis.

The electric utility distribution system properties proposed to be purchased by the Applicant consists of the entire electric distribution system of the city, but does not include an ornamental street lighting system or the city's diesel generating plant. The cash consideration to be received by the city in return for its distribution system is approximately $281,000. This amount represents reproduction cost new less depreciation. The purchase price of $281,000 will be readjusted as of the date of closing to reflect additions to and retirements of physical property and plant since December 31, 1966, each taken at book costs.

According to the application, Applicant will continue the operation of the electric distribution system after the acquisition.

Any person desiring to be heard or to make any protest with reference to the application should on or before May 15, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5018; Filed, May 4, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

NORTHERN INSTRUMENT CORP.

Order Suspending Trading

MAY 1, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Northern Instrument Corp., Babylon, N.Y., and all other securities of Northern Instrument Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities

exchange is summarily suspended, this order to be effective for the period May 2, 1967, through May 11, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5031; Filed, May 4, 1967; 8:46 a.m.]

[File No. 1-4617]

CAMP CHEMICAL CO., INC.

Notice of Application To Withdraw From Listing and Registration

MAY 1, 1967.

In the matter of Camp Chemical Co., Inc., Common Stock, File No. 1-4617.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the National Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The reasons advanced by the company are as stated in its application dated April 25, 1967, which is on file with the Commission. The information has been disseminated to the stockholders. Of a total of 398,782 shares outstanding, only about 23 percent remain in the hands of the public.

Any interested person may, on or before noon, May 11, 1967, submit by letter to the Secretary of the Securities and Exchange Commission, Washington 25, D.C., facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5058; Filed, May 4, 1967; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 2, 1967.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41005—*Superphosphate from Geismar, La.* Filed by O. W. South, Jr., agent (No. A5028), for interested rail carriers. Rates on superphosphate, in carloads, as described in the application, from Geismar, La., to points in western trunkline territory.

Grounds for relief—Rate relationship.

Tariff—Supplement 12 to Southern Freight Association, agent, tariff ICC S-642.

FSA No. 41006—*Pulpboard or fiberboard from West Point, Va.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2886), for interested rail carriers. Rates on pulpboard or fiberboard, n.o.i.b.n., in carloads, from West Point, Va., to Chicago, Ill., and points taking same rates.

Grounds for relief—Market competition.

Tariff—Supplement 81 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-366.

FSA No. 41007—*Coarse grains from points in Missouri.* Filed by Southwestern Freight Bureau, agent (No. B-8970), for interested rail carriers. Rates on coarse grain and articles taking same rates, in carloads, from Dalton, Keytesville, and Salisbury, Mo., to points in Arkansas.

Grounds for relief—Rate relationship, and grouping.

Tariff—Supplement 113 to Southwestern Freight Bureau, agent, tariff ICC 4494.

FSA No. 41008—*Soda ash to Fairburn, Ga.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2885), for interested rail carriers. Rates on soda ash, dense, in bulk in covered hopper cars, and soda ash, in bulk, in covered hopper cars, in carloads, from specified points in Michigan, New York, and Ohio, to Fairburn, Ga.

Grounds for relief—Market competition.

Tariff—Supplement 14 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-334.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5055; Filed, May 4, 1967; 8:49 a.m.]

[Notice 377]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 2, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 200 (Sub-No. 219 TA), filed April 27, 1967. Applicant: RISS & COMPANY, INC., 903 Grand Avenue, Temple Building, Post Office Box 2809, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foodstuffs*, from Dover, Del., to points in Illinois, Indiana, Kansas, Kentucky, Ohio, Michigan, and Missouri, for 180 days. Supporting shipper: General Foods Corp., 250 North Street, White Plains, N.Y. 10602. Send protests to: Vernon Coble, District Supervisor, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut, Kansas City, Mo.

No. MC 17379 (Sub-No. 10 TA), filed April 28, 1967. Applicant: M & M TRUCKING CO., a corporation, 1103 East Poland Avenue, Bessemer, Pa. 16112. Applicant's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa. 15222. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from Painesville, Ohio, to points in Crawford, Erie, Warren, and McKean Counties, Pa., and Chautauqua, Allegany, and Cattaraugus Counties, N.Y., restricted to service to be performed under continuing contract or contracts with Bessemer Cement Co., Division Diamond Alkali Co., for 150 days. Supporting shipper: Bessemer Cement Co., division of Diamond Alkali Co., 800 Stambaugh Building, Youngstown, Ohio 44503. Send protests to: Gasper Piovarchy, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 29566 (Sub-No. 125 TA), filed April 28, 1967. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. 66105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat products and meat byproducts*, from Beardstown, Ill. to points in Iowa, Kansas, Nebraska, and Missouri, for 180 days. Supporting shipper: Oscar Mayer & Co., Inc., Madison, Wis. Send protests to: Vernon Coble, District Supervisor, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut, Kansas City, Mo. 64106.

No. MC 116063 (Sub-No. 101 TA), filed April 27, 1967. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., Post Office Box 270, 2400 Cold Spring Road, Fort Worth, Tex. 76101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry Fertilizer and dry fertilizer ingredients*, in bulk, and *anhydrous ammonia*, in bulk, in tank vehicles, from Luling, La., to Marianna, Fla., and points in Alabama and Mississippi, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindberg Boulevard, St. Louis, Mo. 63166. Send protests to: Billy R. Reid, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 9A27, Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 124078 (Sub-No. 273 TA), filed April 27, 1967. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, from Senatobia, Miss., to points in Mississippi and Tennessee, on traffic having a prior out-of-State movement by rail, for 150 days. Supporting shipper: United Cement Co., Post Office Box 175, West Point, Miss. 39773 (Jack M. Reese, Vice President and General Manager). Send protests to: W. F. Sibbald, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 124238 (Sub-No. 4 TA), filed April 28, 1967. Applicant: CEMENT TRANSPORTS, INC., 3300 Republic National Bank Building, Dallas, Tex. 75201. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bags, boxed for export shipment, from plant-site of Longhorn Cement, Division Kaiser Cement & Gypsum Corp. in San Antonio, Tex., to Freeport, Tex., shipside, for 180 days. Supporting shipper: Longhorn Cement, Division of Kaiser Cement & Gypsum Corp., Route 13, Box 714, San Antonio, Tex. 78209. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 127261 (Sub-No. 2 TA), filed April 27, 1967. Applicant: DIAZ MOTOR FREIGHT, INC., 2829 Frenchmen Street, New Orleans, La. 70119. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *wire mesh*, in rolls and sheets, and *structural and reinforcing steel* in lengths up to and including 60 feet, from New Orleans, La., to points within 565 miles in the States of Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, Tennessee, and Texas, for 180 days. Supporting shippers: Primary Steel, Inc., Post Office Box 10393, New Orleans, La. 70121; Atlas Steel & Wire Corp., Post Office Box 53372, New Orleans, La. 70150; and Southeast Steel & Wire Corp., Post Office Box 10313, New Orleans, La. 70121. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Office Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 128095 (Sub-No. 2 TA), filed April 27, 1967. Applicant: ALVIN C. HALE TRUCKING CO., INC., Route 5, Pontotoc, Miss. 38863. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and parts, materials, and accessories* used in the manufacture of new furniture, from Lincolnton, N.C., to Prairie, Miss., for 180 days. Supporting shipper: The Burris Chair Co., Post Office Box 698, Lincolnton, N.C. 28092. Send protests to: William W. Garland, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Building, 167 North Main, Memphis, Tenn. 38103.

No. MC 128745 (Sub-No. 2 TA), filed April 28, 1967. Applicant: MIEDZINSKI'S TRANSFER, INC., Park Avenue, Leonardtown, Md. 20650. Applicant's representative: Oliver R. Guyther, Leonardtown, Md. 20650. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment*, between Arlington, Va., on the one hand, and, on the other, points in St. Mary's and Calvert Counties, Md., for 180 days. Supporting shipper: Western Electric Co., Inc., 222 Broadway, New York, N.Y. 10038. Send protests to: District Supervisor Robert D. Caldwell, Interstate Commerce Commission, Bureau of Operations, Room 1220, Washington, D.C. 20423.

No. MC 128607 (Sub-No. 4 TA), filed April 28, 1967. Applicant: BOYD TRUCKING CO., First Street and Cemetery Lane, Post Office Box 577, Cottonwood, Calif. 96022. Applicant's representative: Marvin Handler, 405 Montgomery Street, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from Genessee, Calif. (16 miles southeast of Crescent Mills) to Port of Sacramento, Calif., for 150 days. Supporting shipper: Plumas Lumber Co., Crescent Mills, Calif. 95934. Send protests to: District Supervisor William E. Murphy, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 128960 (Sub-No. 1 TA), filed April 27, 1967. Applicant: ARNOW TRUCKING CORP., 466 Rockaway Parkway, Brooklyn, N.Y. 11212. Applicant's representative: Martin Honig, 570 Seventh Avenue, New York, N.Y. 10018. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Appliances*, from Garden City and Jamaica, N.Y., to points in Pennsylvania, Connecticut, and New Jersey, for 150 days. Supporting shipper: Cee-Mor Sales Corp., 43-01 Bell Boulevard, Bayside, Long Island, N.Y. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 129041 TA, filed April 28, 1967. Applicant: ROGER L. MARQUARDT, doing business as MARQUARDT TRUCKING SERVICE, Rural Route 3, Parkston, S. Dak. 57366. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used farm machinery and implements*, between Mitchell, S. Dak., and points in Minnesota, Iowa, Wisconsin, Illinois, Texas, Kansas, Oklahoma, Nebraska, North Dakota, and New Mexico, for 180 days. Supporting shipper: Mitchell Machinery, Mitchell, S. Dak. 57301, Lyle Bordewyk. Send protests to: District Supervisor, J. L. Hammond, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5056; Filed, May 4, 1967; 8:49 a.m.]

[Notice 1513]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 2, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69550. By order of April 26, 1967, the Transfer Board approved the transfer to Allen I. Koenig, doing business as Midwest Harvestore Transport Co., Rochester, Minn., of the operating rights in certificates Nos. MC-117068, MC-117068 (Sub-No. 2), and MC-117068 (Sub-No. 5), issued March 31, 1959, November 23, 1962, and December 7, 1965, respectively, to Herbert H. Schultz, doing business as Midwest Harvestore Transport, Rochester, Minn., authorizing the transportation, over irregular routes, of steel silos, component parts thereof, and certain equipment and materials related thereto, and animal waste storage tanks and spreader tanks, livestock scales, livestock feed bunkers, forage metering devices, and soil savers, from Kankakee, Ill., to points in Minnesota, Iowa, North Dakota, and South

Dakota. Robert E. Swanson, 1211 South Sixth Street, Stillwater, Minn., representative for applicants.

No. MC–FC–69582. By order of April 25, 1967, the Transfer Board approved the transfer to Osceola Transit, Inc., Osceola, Ark., of the operating rights in permit No. MC–126189, issued May 6, 1965, to L. C. B. Young, L. C. B. Young, Jr., C. S. Stevens, and Paul B. Billings, a partnership doing business as Osceola Transit Co., Osceola, Ark., authorizing the transportation of: Vegetable oils and blends, from points in Mississippi County, Ark., to Points in Shelby County, Tenn. James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103, attorney for applicants.

No. MC–FC–69588. By order of April 25, 1967, the Transfer Board approved the transfer to Helen M. Shaw, doing business as Miller Transfer & Storage, Clarion, Pa., of the certificates in Nos. MC–87103 and MC–87103 (Sub-No. 4) and the permit in No. MC–119302, certificate MC–37103 issued in the name of Joseph H. Shaw on July 18, 1962, and certificate MC–87103 (Sub-No. 4) and the said permit both issued March 24, 1967, to Joseph H. Shaw (Helen M. Shaw, Executrix), doing business as Miller Transfer & Storage, Clarion, Pa.; the certificates authorize the transportation of various commodities, including household goods from Clarion, Pa., and points within 25 miles thereof, on the one hand, and, on the other, points in six States and the District of Columbia; general commodities, from Clarion, Pa., to points within 25 miles of Clarion; and machinery and accessories useful in the manufacture of glass and plastic containers, between the plantsite of the Brockway Glass Co., Brockway, Pa., to specified plantsites of this company in nine other States; the permit authorizes the transportation of machinery and machinery parts between the plantsite of the Elliott Co., Division of Carrier Corp., Jeannette, Pa., on the one hand, and, on the other, points in the United States, except Alaska and Hawaii. Dual operations were authorized. Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa. 15219, attorney for applicants.

No. MC–FC–69589. By order of April 25, 1967, the Transfer Board approved the transfer to James E. Mascari, doing business as Bob White's Horse Transportation, San Ysidro, Calif., of certificate No. MC–106968 (Sub-No. 1), issued March 12, 1948, to Robert B. White, doing business as Bob White's Horse Transportation, San Ysidro, Calif., authorizing the transportation of race horses, and in the same vehicle with race horses, supplies, and equipment used in the transportation, care, and exhibition of such horses, and the personal effects of their attendants, between the boundary of the United States and Mexico at a point on U.S. Highway 101 about 1 mile south of San Ysidro, Calif., on the one hand, and, on the other, points and places in Maricopa County, Ariz., and those in Imperial, Kern, Los Angeles, Orange, Riverside, Sacramento, San Diego, San Francisco, San Joaquin, San Mateo, and Sonoma Counties, Calif. James N. Edmunds, 676 Third Avenue, Chula Vista, Calif. 92010, attorney for applicants.

No. MC–FC–69590. By order of April 26, 1967, the Transfer Board approved the transfer to Paul E. Reed, doing business as Punches Truck Line, Topeka, Kans., of the operating rights in certificate No. MC–114752, issued June 25, 1956, to Willis B. Vann, doing business as Vann Truck Line, Lyndon, Kans., authorizing the transportation of: General commodities, with the usual exceptions, between specified points in Kansas. Burns and Burns, Lyndon, Kans. 66451, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67–5057; Filed, May 4, 1967; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3781 ... 6757

EXECUTIVE ORDERS:
11136 (amended by EO 11349) ... 6759
11007 (see EO 11349) ... 6759
11349 ... 6759

5 CFR

213 ... 6901
550 ... 6674

7 CFR

81 ... 6673
905 ... 6930
908 ... 6930
910 ... 6674
1006 ... 6763
1012 ... 6835
1096 ... 6763
1127 ... 6835
1134 ... 6835
1483 ... 6931
1488 ... 6836

PROPOSED RULES:
52 ... 6848
1030 ... 6692
1031 ... 6692
1038 ... 6692
1039 ... 6692
1045 ... 6692
1051 ... 6692
1060 ... 6872
1063 ... 6692

8 CFR

PROPOSED RULES:
100 ... 6781
101 ... 6781
103 ... 6781
204 ... 6781
211 ... 6781
212 ... 6781
213 ... 6781
214 ... 6781
215 ... 6781
221 ... 6781
223 ... 6781
231 ... 6781
234 ... 6781
235 ... 6781
236 ... 6781
238 ... 6781
239 ... 6781
242 ... 6781
243 ... 6781
245 ... 6781
248 ... 6781
249 ... 6781
251 ... 6781
252 ... 6781
253 ... 6781
264 ... 6781
292 ... 6781
299 ... 6781
312 ... 6781
316a ... 6781
334 ... 6781
337 ... 6781
339 ... 6781
341 ... 6781
343 ... 6781

8 CFR—Continued

Page

PROPOSED RULES—Continued
343a ... 6781
343b ... 6781
349 ... 6781
499 ... 6781

9 CFR

203 ... 6901

10 CFR

10 ... 6836

PROPOSED RULES:
25 ... 6702
26 ... 6706
95 ... 6710

12 CFR

509 ... 6764
541 ... 6769
542 ... 6769
547 ... 6769
548 ... 6770
549 ... 6770, 6773
550 ... 6771
551 ... 6772
566 ... 6773

PROPOSED RULES:
19 ... 6687
263 ... 6723
308 ... 6716

14 CFR

1 ... 6905
23 ... 6912
25 ... 6912
27 ... 6914
29 ... 6914
39 ... 6674, 6675, 6914
61 ... 6905
71 ... 6676, 6837
91 ... 6906
97 ... 6915
135 ... 6908
151 ... 6925
153 ... 6925

PROPOSED RULES:
1 ... 6938
39 ... 6845
71 ... 6845, 6846
91 ... 6938
97 ... 6938
121 ... 6938
135 ... 6938
233 ... 6714
243 ... 6941
302 ... 6714
378 ... 6847

16 CFR

13 ... 6676, 6677, 6836, 6837, 6926–6928
15 ... 6929

18 CFR

101 ... 6678
141 ... 6678

19 CFR

13 ... 6838

21 CFR

Page

2 ... 6838
8 ... 6685
121 ... 6686, 6775
141c ... 6839
146c ... 6839
191 ... 6839

PROPOSED RULES:
8 ... 6701
20 ... 6938
42 ... 6844
120 ... 6702
121 ... 6844

26 CFR

1 ... 6679, 6682

PROPOSED RULES:
1 ... 6691

28 CFR

0 ... 6930

29 CFR

465 ... 6840

PROPOSED RULES:
1604 ... 6941

32 CFR

51 ... 6777
577 ... 6931
1810 ... 6932

36 CFR

7 ... 6932
311 ... 6933

38 CFR

3 ... 6840
17 ... 6841

39 CFR

PROPOSED RULES:
132 ... 6701

42 CFR

35 ... 6842

43 CFR

22 ... 6683

PUBLIC LAND ORDERS:
4152 (corrected) ... 6780

45 CFR

4 ... 6684
801 ... 6685

47 CFR

2 ... 6933
15 ... 6933
73 ... 6779, 6780
81 ... 6933
85 ... 6933
91 ... 6937

PROPOSED RULES:
97 ... 6942

49 CFR

195 ... 6780
287 ... 6843

50 CFR

33 ... 6685